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LEGISLATIVE HISTORY

Public Law 87-304
H. R. 2555

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INDEX AND SUMMARY OF H. R. 2555

Jan. 12, 1961	Rep. Murray introduced H. R. 2555 which was referred to the House Post Office and Civil Service Committee. Print of bill as introduced.
May 3, 1961	House subcommittee ordered H. R. 2555 reported to the full committee.
Jun. 15, 1961	House committee voted to report (but did not actually report) H. R. 2555.
Jun. 27, 1961	House committee reported H. R. 2555 with amendments. H. Report No. 584. Print of bill and report.
Jul. 10, 1961	House passed over H. R. 2555 without prejudice.
Jul. 17, 1961	House passed H. R. 2555 under suspension of the rules.
Jul. 20, 1961	H. R. 2555 was referred to the Senate Post Office and Civil Service Committee. Print of bill as referred.
Aug. 30, 1961	Senate committee voted to report (but did not actually report) H. R. 2555.
Sept. 8, 1961	Senate committee reported H. R. 2555 without amendment. S. Report No. 910. Print of bill and report.
Sept. 15, 1961	Senate passed H. R. 2555 without amendment.
Sept. 26, 1961	Approved: Public Law 87-304.

DIGEST OF PUBLIC LAW 87-304

EMERGENCY EVACUATION OF FEDERAL EMPLOYEES. Authorizes the establishment of procedures for the payment of compensation and allowances to civilian employees when official orders have been issued for their emergency evacuation from their official duty stations.

H. R. 2555

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 1961

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for the purposes of this Act, the term—

4 (1) “department” means—

5 (A) each executive department of the Gov-
6 ernment of the United States;

7 (B) each agency or independent establishment
8 in the executive branch of such Government;

9 (C) each corporation wholly owned or con-
10 trolled by such Government; and

1 (D) the General Accounting Office.

2 (2) "employee" means an individual—

3 (A) (i) who is a citizen of, or owes perma-
4 nent allegiance to, the United States of America;
5 and

6 (ii) who is assigned to duty at a post outside
7 the United States, or at such other place as the
8 President may designate; or

9 (B) (i) who is not a citizen of, or does not
10 owe permanent allegiance to, the United States of
11 America;

12 (ii) who is assigned to duty at a post outside
13 the United States, or at such other place as the
14 President may designate; and

15 (iii) who was recruited, under an agreement
16 providing for the return transportation of such em-
17 ployee to the country from which he was recruited,
18 for such employment outside of the country in
19 which such employment is performed.

20 (3) "United States", when used in a geographical
21 sense, means the several States of the United States of
22 America and the District of Columbia.

23 SEC. 2. Subject to regulations to be prescribed by or
24 under authority of the President, the head of each depart-
25 ment is authorized to provide, with respect to each employee

1 under the jurisdiction of such department head, for the al-
2 lotment by such employee of amounts out of his compensa-
3 tion for the support of his dependents or for any other
4 purpose deemed appropriate by such department head, if
5 the evacuation of such employee or his dependents from a
6 place outside the United States, or such other place as the
7 President may designate, is ordered for military reasons or
8 to protect the health or safety of such employee or
9 dependents.

10 SEC. 3. (a) Subject to regulations to be prescribed by
11 or under authority of the President, the head of each depart-
12 ment is authorized—

13 (1) to provide for the payment, in advance, of
14 compensation, allowances, and differentials, covering a
15 period of not more than thirty days, to any employee
16 under his jurisdiction, if the evacuation of such employee
17 or his dependents from a place outside the United States,
18 or such other place as the President may designate, is
19 ordered for any reason specified in section 2 of this Act,
20 such payment to be at the rate to which such employee
21 was entitled immediately prior to evacuation, and

22 (2) to provide for the payment, at such rate, until
23 such time as such payment is terminated by such depart-
24 ment head, of compensation, allowances, and differ-
25 entials to any such employee so evacuated who is pre-

A BILL

To provide for allotment and advancement of
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By Mr. MURRAY

JANUARY 12, 1961

Referred to the Committee on Post Office and Civil
Service

12. PERSONNEL. The Government Operations Committee reported with amendment H. R. 3279, to increase the maximum rates of per diem allowance for employees of the Government traveling on official business (H. Rept. 341). p. 6782
13. HIGHWAYS. The Rules Committee reported a resolution for consideration of H. R. 6713, to amend certain laws relating to Federal-aid highways, and to make certain adjustments in the Federal-aid highway program. pp. 6729, 6782
14. TEXTILES. Rep. Whitener said "We must have immediate relief from the existing foreign textile competition and from the additional competition which we see on the economic horizon." He spoke in particular reference to textile competition from Hong Kong. pp. 6762-9
15. MONOPOLIES; LIVESTOCK. Rep. Roosevelt recommended "legislation to strengthen the Packers and Stockyards Act and the Federal Trade Commission Act to prohibit integration of food retailing with meat packing and other functions of food manufacturing and processing where the effect of such integration of functions would be to substantially lessen competition or tend to create monopoly." pp. 6777-9
16. TAXATION. The Ways and Means Committee reported with amendment H. R. 6413, to extend to fishermen the same treatment accorded farmers in relation to estimated income tax (H. Rept. 346). p. 6782
17. PERSONNEL. The Post Office and Civil Service Subcommittee ordered reported to the full committee H. R. 2555, to provide for allotment and advancement of pay respect to civilian employees of the United States in cases of emergency evacuations in oversea areas. pp. D310-1
18. PUBLIC LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 6422 with amendments, to add federally owned lands to, and exclude federally owned lands from, the Cedar Breaks National Monument, Utah (includes Forest Service lands). p. D310
19. LEGISLATIVE PROGRAM. Rep. Bolling announced that H. R. 6713, the proposed Federal-aid highway program of 1961, will be considered today, May 4. p. 6736
20. FARM PROGRAM. Rep. Coad commended the Administration's farm program and stated that, "We have an administration that spotlights agriculture as a national asset rather than a burdensome taxpayer responsibility." p. 6730
Several representatives criticized legislative programs of the Administration. pp. 6731-36

ITEMS IN APPENDIX

21. HEALTH. Extension of remarks of Rep. Curtis, Mo., inserting several reports prepared by the American Medical Association on the funds appropriated by the Congress for activities of the Federal Government in the field of health. pp. A3029-30, A3032-3, A3036-8, A3041, A3048, A3051-3
22. FARM LABOR. Extension of remarks of Sen. Williams, N. J., inserting several articles on the problems and progress of the migratory farm labor program in N. J. pp. A3034-6

23. BUDGET COMMITTEE. Extension of remarks of Rep. Colmer inserting an article by Sen. McClellan and stating that Sen. McClellan "points out in a very logical and forceful manner the need for a Joint Committee on the Budget to be set up within the Congress and responsible to the Congress." pp. A3043-5
24. WILDERNESS. Extension of remarks of Rep. Westland inserting an article, "As We See It -- Preserve Wilderness Areas For Benefit Of All People." pp. A3050-1
Extension of remarks of Sen. Fong inserting an article, "Hawaii Needs A State Park System To Help Preserve The Life Of The Land." pp. A3054-4
25. FARM PROGRAM. Extension of remarks of Rep. Johnson, Wis., inserting the testimony of Gilbert Rohde, president of the Wisconsin Farmers Union, and of Edwin Christianson, president of the Minnesota Farmers Union, before the House Agriculture Committee in support of the proposed Agricultural Act of 1961. pp. A3054-5, A3063-4
26. ECONOMIC POLICY. Extension of remarks of Sen. Magnuson commending Secretary of Commerce Hodges, stating that as chairman of the Commerce Committee "I think I can assure Secretary Hodges of the committee's cooperation in his efforts to revitalize the Department ...," and inserting the Secretary's address to the National Press Club "Policy For Growth." pp. A3017-9
27. FEDERAL-STATE RELATIONS. Rep. Brooks inserted a speech by Sen. Yarborough urging closer coordination and cooperation between State and National legislative bodies. pp. A3022-3
28. WATER RESOURCES. Sen. Kerr inserted an address by a Division of Water Supply and Pollution Control official on the Arkansas-Red River water quality conservation project and its effect on the economy of the Red River Valley. pp. A3026-8
29. DEPRESSED AREAS. Speech in the House by Rep. MacGregor criticizing the method of financing the depressed areas legislation. p. A3028
30. WHEAT. Sen. Carlson inserted and commended an article on wheat sales to the Indian Government under Public Law 480, and stated that he believes U. S. sales of wheat have obtained more good will for the U. S. than money spent in other ways. p. A3062

BILLS INTRODUCED

31. FORESTS. S. 1760, by Sen. Bible (for himself and Sen. Cannon), to establish the Great Basin National Park in Nevada; to Interior and Insular Affairs Committee. Remarks of Sen. Bible. p. 6576
S. Res. 137, by Sen. Byrd, W. Va., to print as a Senate document two reports entitled "The Timber Resources of West Virginia" and "A Report on the National Forests of West Virginia"; to Rules Administration Committee.
32. TRANSPORTATION. S. 1764, by Sen. Bartlett, to amend the Interstate Commerce Act to require justification of certain rate publications and suspension board actions; to Commerce Committee. Remarks of author. pp. 6576-7
S. 1765, by Sen. Bartlett, to amend the Interstate Commerce Act to promote coordinated rail-barge transportation; to Commerce Committee. Remarks of author. pp. 6576-7
H. R. 6775, by Rep. Bonner, to amend the Shipping Act, 1916, as amended, to provide for the operation of steamship conferences; to Merchant Marine and Fisheries Committee.

11. PERSONNEL.

The Committee voted to report (but did not actually report) with amendments H. R. 2555, to provide for allotment and advancement of pay with respect to civilian employees of the U. S. in cases of emergency evacuations in oversea areas. p. D464

12. WILDLIFE. The Merchant Marine and Fisheries Committee reported without amendment H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat (H.Rept 545).

The Ways and Means Committee voted to report (but did not actually report) H. R. 7678, "relating to the importation of wild animals and wild birds." p. D465

13. PUBLIC DEBT. The Ways and Means Committee voted to report (but did not actually report) H. R. 7677, "to increase for a 1-year period the public debt limit." p. D465

14. FARM PROGRAM. The Subcommittee on Equipment, Supplies, and Manpower of the Agriculture Committee "met in executive session to review a report on farm cost-price squeeze, and ordered it printed with minor changes." p. D463

15. EDUCATION. The Select Subcommittee on Education of the Education and Labor Committee voted to report to the full committee H. R. 4386, to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education. p.D463

16. LEGISLATIVE PROGRAM. Rep. McCormack announced that the conference report on S. 610, on international tourism, the fourth supplemental appropriation bill for 1961, and the Consent Calendar will be considered on Mon., the Private Calendar will be called on Tues., and on Wed. the housing bill will be considered. pp. 9728-9

17. ADJOURNED until Mon., June 19. p. 9749

ITEMS IN APPENDIX

18. HOUSING. Rep. Alger inserted a newspaper editorial, "House Without Foundation," criticizing the administration's housing bill. pp. A4438-9

19. FOREIGN AID. Extension of remarks of Rep. Alger stating that "the best weapon we have against communism is a sound and growing economy in the United States and that goal cannot be maintained so long as we continue to spend, without regard to any sense of responsibility, billions of dollars on foreign aid." p. A4443

20. WATER RESOURCES. Extension of remarks of Sen. Kuchel stating that Calif. has had the worst drought in 30 years and inserting an editorial, "The Drought of 1961." p. A4444

21. ECONOMIC CONDITIONS. Extension of remarks of Rep. Byrnes inserting a speech by Robert C. Tyson "warning us that economic incentive, upon which our growth and progress in a free economy depends, is being stifled by governmental action." pp. A4477-9

BILLS INTRODUCED

22. ANIMAL DISEASES. H. R. 7694, by Rep. Matthews, and H. R. 7702, by Rep. Blich, to provide for a national hog cholera eradication program; to Agriculture Committee.
23. PUBLIC DEBT. H. R. 7677, by Rep. Mills, to increase for a 1-year period the public debt limit set forth in section 21 of the Second Liberty Bond Act; to Ways and Means Committee.
24. WATER. H. R. 7690, by Rep. Teague, Tex., to amend the Water Supply Act of 1958 to remove certain restrictions in that act; to Public Works Committee.
25. RURAL DEVELOPMENT. S. 2081, by Sen. Dirksen, to provide for the establishment of a regional research center for rural redevelopment; to Agriculture and Forestry Committee. Remarks of author. pp. 9754-6
26. EMPLOYMENT. S. 2084, by Sen. McCarthy, to provide for the establishment of a permanent program of additional unemployment compensation, to provide for equalization grants, to extend coverage of the unemployment compensation program, etc.; to Finance Committee. Remarks of author. pp. 9756-65
27. RECREATION. S. 2086, by Sen. Jackson, to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin Project for recreation purposes are nonreimbursable; to Interior and Insular Affairs Committee.
28. FOREIGN TRADE. S. 2092, by Sen. Johnston (by request), to amend title 13 of the United States Code to provide for the collection and publication of foreign commerce and trade statistics; to Post Office and Civil Service Committee.
29. RESEARCH STATION. S. 2093, by Sen. Mundt, to authorize the Secretary of Agriculture to macadamize a portion of road leading to the U. S. Department of Agriculture field station outside the town of Newell, S. Dak.; to Public Works Committee.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

June 16: Recognition of State water rights of western States, S. Interior.
Supplemental appropriations, H. Appropriations (exec).

Proposed Youth Opportunities Act (including Youth Conservation Corps), H.
Education and Labor.

Foreign aid bill, S. Foreign Relations (exec) and H. Foreign Affairs (exec).

June 19: Proposed Youth Opportunities Act (including Youth Conservation Corps),
H. Education and Labor (Secretary Freeman to testify).

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7. EDUCATIONAL EXCHANGES. Began debate on S. 1154, to provide for the improvement and strengthening of the educational and cultural exchange program. pp. 10576, 10580-5
8. EDUCATION. Sen. Mundt and others urged enactment of legislation to extend the program of Federal aid to schools in Federally-impacted areas. pp. 10552-3
9. FOREIGN TRADE. Sen. Javits inserted a newspaper article, "New Policy Due on Foreign Trade," stating that "The Kennedy Administration must soon get to work on the detailed drafting of its own foreign trade policy." pp. 10556-7
10. AREA REDEVELOPMENT. Sen. Ervin inserted his statement commending the area redevelopment program. p. 10559
11. HOUSING. Sen. Sparkman commended the conference report on the housing bill and urged early consideration of the report. pp. 10596-7
Sen. Bush criticized the conference report on the housing bill and urged the Senate to reject the report and instruct the Banking and Currency Committee to report "to the floor a new housing bill which recognizes the need for fiscal prudence in domestic programs." pp. 10615-7
12. NOMINATION. Received the nomination of Robert E. Hampton to be a Civil Service Commissioner. p. 10619
13. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the conference report on the housing bill, and H. R. 7677, to increase the public debt limit, will be considered today, and that S. 1154, the educational exchange bill, will be considered on Thurs. p. 10610

HOUSE

14. HOUSING; FARM LOANS. Received the conference report on S. 1922, the omnibus housing bill (H. Rept. 602), retaining the Senate amendment making lessees of farmland eligible for farm housing assistance under title V of the Housing Act of 1949. For additional items of interest to this Department, see Digest 95. pp. 10644-60, 10668
15. VETERANS' LOANS. Agreed to the Senate amendment, with an amendment by Rep. Teague, Tex., on H. R. 5723, to extend the veterans' guaranteed and direct home loan program. pp. 10620-1
16. APPROPRIATIONS. Began debate on H. R. 7851, the Defense appropriation bill. pp. 10621-43
The Appropriations Committee was granted until midnight Mon., July 10, to file a report on the D. C. appropriation bill. p. 10644
17. ATOMIC ENERGY. The Rules Committee reported a resolution for consideration of H. R. 7576, to authorize appropriations for the Atomic Energy Commission. p. 10668
18. WATER POLLUTION CONTROL. Conferees were appointed on H. R. 6441, to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control. Senate conferees have already been appointed. pp. 10643-4
19. RECLAMATION. Rep. Aspinall discussed the Federal reclamation programs and said, "Reclamation farms are more than twice as productive, acre for acre, as other farms." pp. 10662-5

20. PUBLIC DEBT. Reps. Dominick and Battin criticized the proposal to raise the public debt limit. pp. 10666-7
21. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H. R. 2555, to provide for allotment and advancement of pay with respect to civilian employees of the U. S. in cases of emergency evacuation in overseas areas (H. Rept. 584). p. 10668
~~The Rules Committee reported a resolution for consideration of H. R. 6141, to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the U. S. p. 10668~~
22. WATERSHEDS. The Agriculture Committee voted to report with amendments (but did not actually report) H. R. 3462, to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder. p. D511
23. GRAPES AND PLUMS. The Agriculture Committee voted to report (but did not actually report) H. R. 6253, to permit exemption of certain grapes and plums from the act of September 2, 1960, requiring standards for exported grapes and plums. p. D511
24. EDUCATION. The Education and Labor Committee "Met in executive session and ordered a clean bill introduced in the House in lieu of H. R. 6774, to extend and improve the National Defense Education Act." p. D511
25. DELAWARE RIVER BASIN. The Rules Committee granted a rule for the consideration of H. J. Res. 225, to grant the consent of Congress to the Delaware River Basin Compact. p. D512
26. LEGISLATIVE PROGRAM. Rep. McCormack announced that the conference report on the housing bill will be considered today, June 28, and probably H. R. 7678, to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the U. S. (p. 10660). Agreed to consider the D. C. appropriation bill Wed., July 12 (p. 10641).

ITEMS IN APPENDIX

27. ELECTRIFICATION. Extension of remarks of Rep. Van Zandt inserting an editorial, "Public Power Advocates Wedge Into A-Energy Field." pp. A4830-2
28. RESEARCH. Extension of remarks of Sen. Anderson inserting two articles favoring expansion and development of saline water conversion programs. pp. A4832-3
29. SOCIAL SECURITY. Extension of remarks of Rep. Marshall inserting an article, "Social Security Gives Farm People Independence," and stating that it is an interesting study on the attitude of farmers toward social security. pp. A4836-7
30. BUDGET; PUBLIC DEBT. Speech in the House by Rep. Udall during debate on the bill to increase the public debt limit. pp. A4842-4
31. PERSONNEL. Extension of remarks of Rep. Daddario commending and inserting a review of Dr. Earl Lindveit's book, "Scientists in Government." p. A4845

ALLOTMENT AND ADVANCEMENT OF PAY IN EMERGENCY EVACUATIONS

JUNE 27, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MORRISON, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H.R. 2555]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 2555) to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

AMENDMENTS

The committee proposes two amendments to H.R. 2555 as introduced—an amendment to the text and an amendment to the title.

AMENDMENT TO THE TEXT

The amendment proposed by the committee to the text of the bill strikes out all after the enacting clause and inserts in lieu thereof a substitute text which appears in the reported bill in italic type. An explanation of this amendment is contained in the explanation of H.R. 2555, as reported.

AMENDMENT TO THE TITLE

The amendment proposed by the committee to the title of the bill is as follows:

Amend the title so as to read:

A bill to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to

consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

The purpose of this amendment to the title is to provide a title which will reflect more accurately the text of H.R. 2555, as reported.

PURPOSE

The primary purpose of this legislation is to provide for the establishment of an efficient, orderly, and equitable procedure for the payment of compensation and allowances of civilian employees of the Federal Government in those instances in which official orders shall have been issued for the emergency evacuation from duty stations of such employees or their dependents, or both, for military reasons or to safeguard them from imminent danger to their lives. The legislation also consolidates the several existing laws governing allotment and assignment of pay by Federal civilian employees, which now have differing conditions and limitations, into one standard legislative provision applicable to all such employees in the departments and agencies covered by the bill.

STATEMENT

Emergency evacuations already have occurred in certain instances and the necessity for other emergency evacuations in the future is a strong possibility. Yet, there exists no clear and positive legislative policy with respect to compensation and allowances of Federal civilian employees and their dependents who may be ordered evacuated from duty stations for military reasons or to safeguard them from imminent danger to their lives. Therefore, the most important value of this legislation is that it will constitute standby authority to take timely action in the national interest when, as, and if emergency evacuations are necessitated due to sudden or unforeseen developments in the cold war.

To accomplish the purpose of this legislation, the reported bill spells out two basic policies with respect to the payment of compensation and allowances to Federal civilian employees when emergency evacuations shall have been ordered and with respect to allotments and assignments of pay by such employees.

First, permissive authority is granted the executive and judicial branches of the Federal Government, the Library of Congress, the General Accounting Office, and the municipal government of the District of Columbia to establish procedures for the payment of compensation and allowances to Federal civilian personnel or their dependents in the event an emergency evacuation is ordered for military or other reasons which create imminent danger to the life of the employee, his dependents or immediate family. Such payment of compensation and allowances will be at the rates authorized for the employee concerned immediately prior to evacuation under procedures governing his evacuation payment, except as additional payments may be authorized by the President to reimburse actual direct expenses incurred by the employee due to evacuation which are over and above the expenses which the employee would have incurred had there been no evacuation.

Second, the bill consolidates the several existing laws relating to the allotment and assignment of compensation for Federal civilian employees, with their differing conditions and limitations, into one uniform and coordinated standard legislative provision which will govern procedures for such allotment and assignment of pay in the cases of all Federal civilian employees in or under the departments and agencies covered by the bill.

The bill requires that the President, with respect to the executive branch, shall promulgate regulations in implementation of the provisions of this legislation, and that regulations and procedures established by the heads of the executive departments and agencies to carry out their functions under the legislation shall be in conformity with such regulations promulgated by the President.

It is to be emphasized that the bill is not to apply to so-called local indigenous employees—that is, foreign nationals who are employed by the Government of the United States to work in their own countries. Department of the Air Force, witnesses, who testified for the administration on H.R. 2555, assured the committee that such local indigenous employees will not be covered by this legislation.

No specific cost estimates are available due to the absence of information on which they could be based, but it is conceivable that unforeseen conditions during an actual emergency evacuation may result in some additional cost to the Government. However, the overall cost will not be substantial since any payments authorized by this legislation are required to be adjusted later to amounts not exceeding the amounts the employees concerned would have been entitled to under other applicable law plus the added direct expenses (authorized by the President) incurred by the employees due to emergency evacuation which would not have been incurred except for the evacuation. The administrative cost of implementing this legislation will be insignificant and will be absorbed in the applicable appropriations.

EXPLANATION OF THE BILL

DEFINITIONS

The first section of the bill provides definitions of certain terms for the purposes of the bill.

The term "department" means—

(1) each executive department of the Government of the United States of America;

(2) each agency or independent establishment in the executive branch of such Government;

(3) each corporation wholly owned or controlled by such Government;

(4) the judicial branch of such Government;

(5) the General Accounting Office in the legislative branch of such Government;

(6) the Library of Congress; and

(7) the municipal government of the District of Columbia.

The terms "head of each department" and "department head" mean the Director of the Administrative Office of the U.S. Courts with respect to the judicial branch of the Government and the Board

of Commissioners of the District of Columbia with respect to the municipal government of the District of Columbia.

The term "United States" (when used in a geographical sense) means the several States of the United States of America and the District of Columbia.

These definitions, in effect, make the bill applicable to the executive branch and the judicial branch of the Federal Government as well as to the municipal government of the District of Columbia. Only a part of the legislative branch of the Federal Government—the General Accounting Office and the Library of Congress—is covered by the bill. For example, officers and employees in or under the Senate or the House of Representatives, including the Members of the Senate and House, are not covered by the bill.

ADVANCE PAYMENTS IN CASES OF EMERGENCY EVACUATIONS OF EMPLOYEES

Section 2 of the bill relates to advance payments of compensation, allowances, and differentials to or for the accounts of employees in cases of emergency evacuations of such employees or their dependents or immediate families.

Subsection (a) of section 2 authorizes the head of each department to make provision for the advance payment of compensation, allowances, and differentials (or any of them) in those instances in which the evacuation of any employee of such department (or his dependents or immediate family) is ordered, from a place either within or outside the United States (as defined in the first section of the bill—that is, the several States of the United States of America and the District of Columbia), for military or other reasons which create imminent danger to the life or lives of the employee or his dependents or immediate family. This advance payment will cover a period of not to exceed 30 days and may be made either directly to the employee of the department concerned or deposited to the credit of his account.

In addition, any such advance payment in a case of any such evacuation may be made by such department to or for the account of an employee of any other department in an emergency and on a reimbursable basis—that is, with the understanding that the department making the payment to or for the account of the employee of such other department will be appropriately reimbursed by such other department for such payment.

Subsection (b) of section 2 governs the rates at which advance payments under section 2(a) may be made. Such subsection (b) provides that each advance payment of compensation, allowances, and differentials (or any of them) under section 2(a) shall be at those applicable rates which are then currently authorized (on the date such payment is made) with respect to the employee concerned, under procedures of the department concerned governing advance payments under section 2(a). However, these applicable rates authorized under such procedures are not to be in excess of the rates to which the employee was entitled immediately before the issuance of the order of evacuation. In effect, therefore, such advance payments are not to include any increase in any rate to which the employee may become entitled at some time during the period of not to exceed 30 days covered by the advance payment but to which he was not entitled

(under the procedures of the department concerned) immediately prior to the issuance of the evacuation order.

Subsection (c) of section 2 contains provisions for recovery of advance payments made under section 2(a). Such subsection (c) provides that an advance of funds under section 2(a) shall be recoverable from the employee or his estate by the Government of the United States or the municipal government of the District of Columbia (whichever government is concerned). Recovery of any such advance may be effected by setoff against any amount due the employee from the government concerned—such as any accrued compensation due to the employee or the amount of any credit in his individual retirement account. Such recovery also may be effected by any other method authorized by law.

Subsection (d) of section 2 permits the waiver of any right of recovery under section 2(c) in certain justifiable instances. Such subsection (d) provides that the head of the department concerned may waive, in whole or in part, any right of recovery of an advance of funds under section 2(a) if such recovery would be inequitable, unfair, or unconscionable or would be detrimental to the public interest. The recovery provisions of section 2(c) and the waiver provisions of section 2(d) are similar in purpose and effect to the recovery and waiver provisions contained in section 11(c) of the Government Employees Training Act (5 U.S.C. 2310(c)) and section 202 of the Overseas Differentials and Allowances Act (5 U.S.C. 3034).

EVACUATION PAYMENTS FOR LIMITED PERIODS

Section 3 of the bill relates to continuing payments for limited periods of compensation, allowances, and differentials (or any of them) to or for the accounts of employees in cases of emergency evacuations of such employees.

Subsection (a) of section 3 authorizes the head of each department to make provision for the payment of funds in those instances in which—

- (1) the evacuation of any employee of such department is ordered, from a place within or outside the United States (as defined in the first section of the bill—that is, the several States of the United States of America and the District of Columbia), for military or other reasons which create imminent danger to the life of the employee; and

- (2) such employee is prevented from performing the duties of the position which he held immediately prior to the issuance of the order of evacuation—that is, his official position—by circumstances both beyond his own control and beyond the control of the Government of the United States or the municipal government of the District of Columbia (whichever government is concerned).

Such payment will cover a period of not to exceed 60 days and may be made either directly to the employee of the department concerned or deposited to the credit of his account. However, with respect to the executive branch, the President is authorized in his discretion to extend the period of not to exceed 60 days for not more than 120 additional days, if he determines that such extension is in the interest

of the United States. It may be noted that any such employee may not have an opportunity after an evacuation to perform the duties of his official position or even duties of a comparable nature. Therefore, it is anticipated that such employee will be assigned, in accordance with the public interest, to perform whatever work is available, irrespective of the grade or title of the position which normally consists of that work.

In addition, any such payment in the case of any such evacuation may be made by such department to or for the account of an employee of any other department in an emergency and on a reimbursable basis—that is, as is the case with advance payments under section 2(a) of the bill, with the understanding that the department making the payment to or for the account of the employee of such other department will be appropriately reimbursed by such other department for such payment. Since each such evacuation payment is to be for a limited period, the head of each department is further authorized, and will be expected, to make appropriate provision for the termination of such evacuation payment.

Subsection (b) of section 3 governs the rates at which the evacuation payments under section 3(a) may be made. Such subsection (b) provides that each evacuation payment under section 3(a) shall be at rates of compensation, allowances, and differentials (or any of them) which are then currently authorized (on the date such payment is made) with respect to the employee concerned, under procedures of the department concerned governing evacuation payments under section 3(a). However, these applicable rates authorized under such procedures are not to be in excess of the rates to which the employee was entitled immediately before the issuance of the order of evacuation. However, any such employee in the executive branch may be granted such additional allowance payments as the President determines necessary to offset the direct added expenses incident to the evacuation. In effect, therefore, each such evacuation payment is not to include any increase in any rate to which the employee concerned may become entitled during the period covered by the evacuation payment but to which he was not entitled (under procedures of the department concerned) immediately prior to the issuance of the evacuation order. It is emphasized that the payments under section 3(a) are subject to the review and adjustment of the accounts of employees in accordance with section 4 of the bill.

Subsection (c) of section 3 is intended to preserve the employment rights and benefits of each employee with respect to whom evacuation payments validly are or may be made under section 3(a) in applicable cases involving evacuation orders. Such subsection (c) provides that each period for which payment of amounts validly are or may be made under section 3(a) to an employee (or for his account) shall be held and considered as a period of active service, without any break in service, rendered by the employee in the employment of the Government of the United States or the municipal government of the District of Columbia, as the case may be. In effect, such subsection (c) constitutes a designation of that period covered by the applicable evacuation payment under section 3(a) as a period of government employment for all purposes with respect to the employee concerned in his official position—that is, in the position which he held immediately prior to the issuance of the order of evacuation—subject, how-

ever, to any change in his employment in such position (other than any such change in employment which is within the purview of this act) as a result of any valid personnel transaction applicable to such employee. Therefore, subject to any such personnel transaction, the rights, benefits, and obligations of such employee under applicable law (for example, the Civil Service Retirement Act, the Federal Employees Health Benefits Act of 1959, and the Federal Employees' Group Life Insurance Act of 1954), will be the same, in accordance with applicable law, as though the employee were performing the duties of his position in the evacuation period in accordance with the terms of his appointment.

ADJUSTMENT OF ACCOUNTS OF EMPLOYEES

Section 4 of the bill provides for the review and adjustment of the accounts of those employees with respect to whom are made either advance payments in cases of emergency evacuations under section 2 or evacuation payments for limited periods under section 3, or both.

First, such section 4 requires that the head of each department shall make provision for the review of the account of each employee of such department in receipt of payments made to him or for his account under section 2 or 3, or both, of the bill, as the case may be.

Second, such section 4 requires such department head to provide for the adjustment of the amounts of such payments on the basis of the rates of compensation, allowances, and differentials to which such employee would have been entitled, under applicable law other than this bill, for the respective periods covered by such payments and, in addition, on the basis of such additional amounts of allowance payments as such employee may be authorized to receive in accordance with a determination of the President under section 3(b) of the bill that such payments are necessary to offset the direct added expenses incident to the evacuation concerned. The standard to be followed in making each such adjustment is that such adjustment shall be made on the basis of such rates of compensation, allowances, and differentials as if the employee had rendered active service during each period concerned in the position which he held immediately prior to the issuance of the applicable evacuation order—that is, as if such employee had rendered active service during such period in accordance with the terms of his appointment—and on the basis of any additional amounts of allowance payments which the employee is authorized to receive in those instances in which the President determines that such payments are necessary to offset the direct added expenses incident to such evacuation.

ALLOTMENTS AND ASSIGNMENTS OF PAY

Section 5 of the bills consolidates and extends on a uniform basis to those departments and agencies covered by the bill the several existing authorities now contained in the law governing the allotment or assignment (or both) of the pay of civilian employees in a few specifically designated departments and agencies.

Such section 5 grants to each department head the authority to establish procedures which permit each employee of that department to make allotments and assignments of amounts out of his pay for such purpose as such department head deems appropriate.

Two observations are made with respect to the administration and operation of the new pay allotment and assignment provisions contained in section 5.

First, it is anticipated that the purposes for which each such allotment and assignment may be made will be determined and approved by each department head concerned, subject, however, to certain provisions of section 6 of the bill. These provisions of section 6 are to the effect that the President shall coordinate, to the extent practicable in the public interest, the policies and procedures of the departments and agencies of the executive branch under this bill and that regulations of the President (to which the regulations of the department heads shall conform) shall be issued to govern the operation of this act with respect to the executive branch.

Second, although, in the case of those departments outside the executive branch, the regulations of the head of each department technically are not subject to the Presidential regulations, it is anticipated that, in the interests of uniformity, these regulations will conform, as nearly as practicable, to the Presidential regulations.

REGULATIONS

Section 6 of the bill relates to regulations of the President and regulations of the respective department heads.

Subsection (a) of section 6 provides that the President shall coordinate (to the extent practicable in the public interest) the policies and procedures of the respective departments in the executive branch. The purpose of this provision is to achieve, insofar as possible, uniformity and equality in the executive branch in the application and administration of this Act.

Subsection (b) of section 6 provides for the formulation and issuance of regulations, as follows:

With respect to the executive branch, the President shall promulgate regulations in implementation of the provisions of the bill.

With respect to those departments outside the executive branch, the head of the department concerned shall promulgate regulations for his department in implementation of the provisions of the bill.

It is required that these regulations be issued on or before the 90th day following the date of enactment of the bill. These regulations will become effective on the 90th day following the date of issuance.

Subsection (c) of section 6 authorizes the head of each department in the executive branch to prescribe and issue such regulations as are necessary to carry out his functions under the bill. These regulations must be in conformity with the regulations of the President promulgated under section 6(b) of the bill.

TRANSITIONAL PROVISIONS

Section 7 of the bill contains certain transitional provisions governing allotments and assignments of pay.

Section 7 provides that, notwithstanding any other provision of the bill or the repeal or amendment by the bill of any provision of existing law, allotments and assignments of pay of employees in the executive branch may be made in accordance with existing provisions of law so amended or repealed and the regulations under such existing law. In addition, these existing regulations may be amended or revoked in

accordance with such existing law. Allotments and assignments of pay in the executive branch under existing law may be made until such time as the regulations of the President under section 6(b) of the bill are issued and become effective.

AVAILABILITY OF FUNDS FOR CERTAIN PAYMENTS

Section 8 of the bill relates to the availability of funds for certain payments.

Section 8 provides that the funds available to each department for payment of compensation, allowances, and differentials to or for the accounts of the civilian officers and employees of such department also shall be available for payment of compensation, allowances, and differentials to or for the accounts of employees of any other department and on a reimbursable basis—that is, with the understanding that the department making the payment to or for the account of the employee of such other department will be appropriately reimbursed by such other department for such payment.

CHANGES IN EXISTING LAW

Section 9 of the bill repeals and amends certain provisions of law which are rendered unnecessary by reason of the general authority provided by section 5 of the bill for the allotment and assignment of pay by civilian employees.

Subsection (a) of section 9 repeals certain existing law.

Subparagraph (1) of subsection (a) repeals the joint resolution of March 21, 1906 (34 Stat. 824; 48 U.S.C. 171), authorizing assignments of pay of teachers and other employees of the Bureau of Education in Alaska.

Subparagraph (2) of subsection (a) repeals a certain paragraph under the heading “United States Geological Survey” of the act of June 30, 1906 (34 Stat. 727; 43 U.S.C. 35), authorizing assignments of pay by certain employees of the U.S. Geological Survey employed in the field, and reimbursement of such employees who use their personal funds to pay expenses incurred by them in the field in discharge of their duties.

Subparagraph (3) of subsection (a) repeals a certain paragraph under the heading “For General Expenses of the Geological Survey” of the act of May 27, 1908 (35 Stat. 350; 43 U.S.C. 382), authorizing assignments of pay by employees of the Bureau of Reclamation.

Subparagraph (4) of subsection (a) repeals the second paragraph under the heading “Miscellaneous” of the act of March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529), authorizing assignments of pay by employees of the Department of Agriculture.

Subparagraph (5) of subsection (a) repeals the proviso in the second paragraph under the heading “Department of Commerce and Labor” of the act of June 17, 1910 (36 Stat. 524; 5 U.S.C. 595), authorizing assignments of pay by employees of the Department of Commerce while away from Washington, D.C., and employed in the field.

Subparagraph (6) of subsection (a) repeals the act of May 14, 1937 (50 Stat. 166; 5 U.S.C. 75c), authorizing allotments of pay by civilian officers and employees of the executive departments while stationed abroad.

Subsection (b) of section 9 restates a certain paragraph under the heading "Coast and Geodetic Survey" of the act of March 4, 1907, as amended by the first section of the act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862), to restrict the authority to assign and allot pay so that only commissioned officers of the Coast and Geodetic Survey may make assignments or allotments.

Subsection (c) of section 9 amends section 3689(d) of title 10, United States Code, by repealing the authority of the Secretary of the Army to permit permanent civilian employees of the Department of the Army on duty outside the United States to make allotments from their pay for the support of relatives or for other approved purposes.

Subsection (d) of section 9 amends section 8689(d) of title 10, United States Code, by repealing the authority of the Secretary of the Air Force with respect to permanent civilian employees of the Department of the Air Force which is similar to that stated in the explanation under subsection (c) with respect to the Department of the Army.

OFFICIAL RECOMMENDATION OF THE DEPARTMENT OF THE AIR FORCE
AND COMMUNICATIONS FROM OTHER AGENCIES

The executive communication from the Department of the Air Force recommending enactment of this legislation and the additional favorable reports submitted by the Judicial Branch, Library of Congress, government of the District of Columbia, and the General Accounting Office follow:

DEPARTMENT OF THE AIR FORCE,
Washington, January 3, 1961.

HON. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations from certain areas, and for other purposes.

This proposal is a part of the Department of Defense legislative program for 1961 and the Bureau of the Budget has advised by letter dated December 23, 1960, that it has no objection to its submission to the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to provide permissive authority to the heads of government departments, agencies, and establishments to allow civilians employed on duty at places outside the United States, or at such other places as the President may designate, to, under specified emergency conditions, make allotments from their pay for the support of their families or for other purposes that are considered proper, and to draw up to 30 days' advance pay. It would also provide for the continuance of pay of such civilian employees if they are required to evacuate their oversea places of duty under the specified conditions.

It is considered a necessity that a program be developed to insure that these particular civilian employees of the Government and their

families will not be placed in extreme financial difficulties if, for emergency reasons, they should be required to evacuate the area in which they are assigned for duty. Under the authority to be established by enactment of this proposal, it will be possible for department and agency heads to implement programs for these employees which will provide substantially for the following: (1) Supplying each such civilian officer or employee with a mobile, pocket-size pay data card which will authorize him to receive pay from any U.S. disbursing officer at locations other than his place of employment if he is required to evacuate that place of employment under specified emergency conditions; (2) permitting each such officer or employee to designate adult members of his family, or other adult persons acting in his behalf, to receive, under certain circumstances, payment of a portion of his pay in the event they are required to evacuate under the same emergency conditions; and (3) supplying each such designated person with an emergency payment record card which that person may use to draw an allotment in an amount specified thereon from any U.S. disbursing officer in the event he becomes separated from his sponsor during the evacuation or in the event he is required to evacuate without his sponsor. This program contemplates that the necessary pay data card will contain emergency standby evacuation travel orders as an integral part of the card. The officer or employee and his designee would thus have, at all times, in their possession authorizations which would automatically become effective if an evacuation from the place of duty were ordered.

In addition, this proposal would establish authority for evacuated civilian officers and employees to draw advances of pay not to exceed 30 days. It is recognized that because of the relatively slight degree of control over the continued employment of civilian officers and employees, authority to draw advance pay under normal conditions has not ordinarily been granted. However, under emergency conditions such authority may well constitute the only means by which a Government civilian officer or employee could supply his family immediately with funds to defray their essential expenses during an evacuation.

It is contemplated that implementing directives will establish controls over the length of time payments may be continued. For example, assignment to a new duty station, abandonment of position, transfer to the retirement rolls, death, or a finding that the employee is within the purview of the Missing Persons Act, would be cause for immediate stoppage of the payments authorized by section 3(a)(2) of the proposal. It is expected that normally within a 6-month period the employee would be returned to his assigned station or reassigned, at which time normal pay procedures and allotments would be reestablished.

It should be noted that while this proposal is sponsored by the Department of Defense, it is so written as to be applicable to and may well be of value to other agencies of the Government. In short, enactment of this proposal coupled with implementation by all agencies concerned of a program such as described above would provide, for areas outside the United States or for such other places as the President may designate, a complete emergency payment system comprised of standby evacuation orders and emergency payment cards for civilian officers and employees of the Government and their allottees.

COST AND BUDGET DATA

It is not possible to estimate the additional costs which may result from the enactment of the proposed legislation. It is conceivable that unforeseen conditions during an actual evacuation may result in additional costs to the Government. The administrative costs involved in implementing the emergency evacuation payment plan, which would be made possible through the enactment of the proposed legislation, are insignificant and will be absorbed in applicable appropriations.

Sincerely yours,

DUDLEY C. SHARP,
Secretary of the Air Force.

DEPARTMENT OF THE AIR FORCE,
Washington, March 20, 1961.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives.

DEAR MR. CHAIRMAN: Reference Department of the Air Force communication to the Speaker of the House, dated January 3, 1961, forwarding a legislative proposal of the Department of Defense to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations from certain areas, and for other purposes.

On March 2, 1961, the Bureau of the Budget advised that from the standpoint of the present administration's program, there is no objection to the submission of this proposal for the consideration of the Congress.

Sincerely, .

EUGENE M. ZUCKERT,
Secretary of the Air Force.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS,
Washington, D.C., June 15, 1961.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter concerning H.R. 2555, a bill to authorize allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuation, to consolidate the laws governing allotment of pay to such employees, and for other purposes. Pointing out that last year I indicated that it would be desirable to broaden this proposed legislation so that it would apply to all personnel of the judicial branch, you inquire whether I still hold that view and whether there is at the present time any statute which allows members of the judicial establishment to make allotments of their salaries.

I have not changed the personal opinion which I expressed to you during the 86th Congress. The committee print of H.R. 2555 sets forth a legislative proposal which I believe would be very useful to personnel of the Federal judiciary in time of emergency, and I believe

it would be sound policy to extend its terms to cover them. I do not know of any existing law which authorizes employees of the judicial branch to make allotments of their salaries, as is proposed in section 5, page 9, of H.R. 2555 as reported by your committee.

As you know, Mr. John H. Martiny of your committee staff and Mr. John C. Airhart, Assistant Director (Management) of this Office, have conferred regarding the technical aspects of extending coverage to the officers and employees of the judicial establishment, with a view to vesting administration of the program for the judiciary in the Director of the Administrative Office of the U.S. Courts. We do not believe that any serious administrative problems will arise if such a program becomes law.

Sincerely yours,

WARREN OLNEY III, *Director.*

THE LIBRARIAN OF CONGRESS,
Washington D.C., April 26, 1961.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
U.S. House of Representatives, Washington, D.C.*

DEAR MR. MURRAY: Confirming my telephone conversation this morning with Mr. Martin of your staff, the Library of Congress wishes to be included within the provisions of H.R. 2555, a bill to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes. The Library does not currently have authority for employees to make allotment from their compensation as proposed in section 5 of the committee print of the bill, but we would like to be included in the authority proposed to be granted.

Sincerely yours,

RUTHERFORD D. ROGERS,
Acting Librarian of Congress.

MAY 2, 1961.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
U.S. House of Representatives, Washington, D.C.*

DEAR MR. MURRAY: Reference is made to H.R. 2555, 87th Congress, a bill to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

By letter dated March 9, 1960, the Commissioners advised you that the extension of legislation of this kind to District of Columbia employees would be desirable. By letter dated April 26, 1961, the Commissioners stated that they still desire that District employees be included in legislation of the type contained in the committee print of H.R. 2555, and that there is presently no provision of law authorizing District employees to make allotments out of their pay as provided in section 5. In their second letter, the Commissioners stated that while a provision authorizing such allotments would be desirable, they wished to reserve opinion pending further study of the matter.

Section 5 reads as follows:

"SEC. 5. Subject to regulations prescribed by or under authority of the President, the head of each department is authorized to establish procedures under which each employee of such department is permitted to make allotments of amounts out of his compensation for such purpose as such department head deems appropriate."

This section indicates that the head of each department will be able to control the conditions under which allotments are to be permitted and the purposes for which such allotments can be made. In this connection, the Commissioners view the section as authorizing them to permit the making of allotments for any purpose they deem appropriate, including the evacuation of employees or their families for military reasons or for the protection of their health or their safety.

The Commissioners consider legislation of the kind contained in H.R. 2555 desirable, and accordingly they recommend that the first section of the bill be amended by inserting between lines 9 and 10 on page 5 the following:

"(C) the Municipal Government of the District of Columbia, and the term 'head of the department' as applied to the Municipal Government of the District of Columbia means the Board of Commissioners of the District of Columbia;"

The designations "(C)" and "(D)" in lines 10 and 12 on such page should then be changed to "(D)" and "(E)", respectively.

The Commissioners deem that the bill, if amended as indicated above, would permit them, in their discretion, to apply the provisions of its several sections to the employees of the government of the District of Columbia. If there be any doubt that the legislation does not have such effect, the Commissioners recommend that it be further amended so that the Commissioners may have such discretion in order that its application to District employees would be determined according to conditions prevailing in the District, including the availability of funds. Such further amendment would be the inclusion of an additional section reading substantially as follows:

"SEC. —. Notwithstanding the provisions of this Act, the Commissioners of the District of Columbia may, from time to time, determine whether the provisions of this Act are to be extended to the employees of the Municipal government of the District of Columbia."

The Commissioners desire to thank you for your kindness in giving them an opportunity to comment on H.R. 2555, and allowing them to recommend that employees of the District be given the advantage of its provisions.

Time does not permit securing the views of the Bureau of the Budget as to the relationship of this report to the program of the administration.

Very sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, March 20, 1961.

B-132133.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. CHAIRMAN: On February 9, 1961, you requested our report on H.R. 2464 and H.R. 2555.

H.R. 2555 proposes to authorize allotment and advancement of pay and allowances with regard to civilian employees of the United States in cases of emergency evacuations in oversea areas. Substantially the bill is identical with H.R. 2464.

The language of a draft bill designed to accomplish the purpose of H.R. 2464 and H.R. 2555 was the subject of our report to the Director, Bureau of the Budget, B-132133, July 1, 1957. In that report we said that we do not object to the purpose of the proposed legislation. We did, however, recommend certain language changes which were reflected in subsequent draft bills and are incorporated in H.R. 2464 and H.R. 2555.

More recent studies of the modified draft bill disclosed some details in which further clarification may be desirable. These details have been brought to the attention of your committee staff.

In view of the foregoing, we recommend favorable consideration of the proposed legislation.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

CHANGES IN EXISTING LAW

H.R. 2555, as introduced, does not amend or repeal any provision of existing law. Therefore, it is not possible to comply with clause 3 of rule XIII of the Rules of the House of Representatives (the so-called Ramseyer rule) which, in effect, requires that the report or other document accompanying a reported bill show the changes in existing law made by the bill as introduced. However, for the information of the House of Representatives, the changes in existing law made by the bill (H.R. 2555), as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

JOINT RESOLUTION OF MARCH 21, 1906

(34 Stat. 824; 48 U.S.C. 171)

[JOINT RESOLUTION Authorizing assignment of pay of teachers and other employees of the Bureau of Education in Alaska

[*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to permit teachers and other employees of the United States Bureau of Education employed in Alaska to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of*

the Bureau of Education in Alaska; and the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse school-teachers in Alaska for expenses incurred by them in the discharge of their duties and paid from their personal funds.

[Approved, March 21, 1906.]

The paragraph in the first section of the Act of June 30, 1906, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "Scientific Assistants of the Geological Survey" (34 Stat. 727; 43 U.S.C. 35)

[The Secretary of the Interior is hereby authorized to permit scientific and other employees of the United States Geological Survey, employed in the field, to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the United States Geological Survey. And the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse the scientific and other employees for expenses incurred by them in the discharge of their duties in the field and paid from their personal funds.]

That part of the first section of the Act of May 27, 1908, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "For General Expenses of the Geological Survey" (35 Stat. 350; 43 U.S.C. 382)

[The Secretary of the Interior is hereby authorized to permit the employees of the Reclamation Service, while employed in the field, to make assignments of their pay under such regulations as he may prescribe.]

The second paragraph under the center heading "MISCELLANEOUS" and under the side heading "Paper Tests" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529)

[And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.]

The proviso contained in the second paragraph under the center heading "DEPARTMENT OF COMMERCE AND LABOR" and under the side heading "Office of the Secretary" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved June 17, 1910 (36 Stat. 524; 5 U.S.C. 595)

[*Provided*, That the Secretary of Commerce and Labor is hereby authorized, under such regulations as he may prescribe, to permit officers and employees of the several bureaus and divisions of the Department of Commerce and Labor to assign their salaries while absent from Washington, District of Columbia, and employed in the field]

ACT OF MAY 14, 1937 (50 Stat. 166; 5 U.S.C. 75c)

[AN ACT

[Authorizing allotment of pay by civilian personnel stationed abroad.

[*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the heads of the executive departments and establishments of the United States, under such regulations as they may prescribe, be, and are hereby, authorized to permit civilian officers and employees, during such time as they may be assigned for duty outside the continental limits of the United States, to make allotments, in whole or in part, from their pay, for the support of their families or relatives, for their own savings, or for other similar purposes.

[Approved, May 14, 1937.]

That part of the first section of the Act of March 4 1907 under the heading "Under the Department of Commerce and Labor" and under the subheading "Coast and Geodetic Survey" as amended by the first section of the Act of June 21 1955 (69 Stat. 169; 33 U.S.C. 862) relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey

Commissioned officers [, ships officers, members of crews of vessels, and field employees] of the United States Coast and Geodetic Survey and authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.

SECTION 3689 OF TITLE 10 OF THE UNITED STATES CODE

3689. Assignments and allotments of pay

* * * * *

(d) The Secretary may allow any—

(1) member of the Army; *or*

(2) contract surgeon; [or]

[(3) permanent civilian employee of the Department of the Army on duty outside the United States;]

to make allotments from his pay for the support of any of his relatives, or for any other purpose that the Secretary considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Chief of Finance from the officer who failed to make the report.

SECTION 8689 OF TITLE 10 OF THE UNITED STATES CODE

§ 8689. Assignments and allotments of pay

* * * * *

(d) The Secretary may allow any—

(1) member of the Air Force; *or*

(2) contract surgeon; **[or]**

[(3) permanent civilian employee of the Department of the Air Force on duty outside the United States;]

to make allotments from his pay for the support of any of his relatives or for any other purpose that the Secretary considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Secretary from the officer who failed to make the report.



Union Calendar No. 224

87TH CONGRESS
1ST SESSION

H. R. 2555

[Report No. 584]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 1961

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

JUNE 27, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for the purposes of this Act, the term—

4 ~~(1)~~ “department” means—

5 ~~(A)~~ each executive department of the Gov-
6 ernment of the United States;

7 ~~(B)~~ each agency or independent establishment
8 in the executive branch of such Government;

1 ~~(C)~~ each corporation wholly owned or con-
2 trolled by such Government; and

3 ~~(D)~~ the General Accounting Office.

4 ~~(2)~~ "employee" means an individual—

5 ~~(A)(i)~~ who is a citizen of, or owes perma-
6 nent allegiance to, the United States of America;
7 and

8 ~~(ii)~~ who is assigned to duty at a post outside
9 the United States, or at such other place as the
10 President may designate; or

11 ~~(B)(i)~~ who is not a citizen of, or does not
12 owe permanent allegiance to, the United States of
13 America;

14 ~~(ii)~~ who is assigned to duty at a post outside
15 the United States, or at such other place as the
16 President may designate; and

17 ~~(iii)~~ who was recruited, under an agreement
18 providing for the return transportation of such em-
19 ployee to the country from which he was recruited,
20 for such employment outside of the country in
21 which such employment is performed.

22 ~~(3)~~ "United States", when used in a geographical
23 sense, means the several States of the United States of
24 America and the District of Columbia.

25 SEC. 2. Subject to regulations to be prescribed by or

1 under authority of the President, the head of each depart-
2 ment is authorized to provide, with respect to each employee
3 under the jurisdiction of such department head, for the al-
4 lotment by such employee of amounts out of his compensa-
5 tion for the support of his dependents or for any other
6 purpose deemed appropriate by such department head, if
7 the evacuation of such employee or his dependents from a
8 place outside the United States, or such other place as the
9 President may designate, is ordered for military reasons or
10 to protect the health or safety of such employee or
11 dependents.

12 SEC. 3. ~~(a)~~ Subject to regulations to be prescribed by
13 or under authority of the President, the head of each depart-
14 ment is authorized—

15 ~~(1)~~ to provide for the payment, in advance, of
16 compensation, allowances, and differentials, covering a
17 period of not more than thirty days, to any employee
18 under his jurisdiction, if the evacuation of such employee
19 or his dependents from a place outside the United States,
20 or such other place as the President may designate, is
21 ordered for any reason specified in section 2 of this Act,
22 such payment to be at the rate to which such employee
23 was entitled immediately prior to evacuation, and

24 ~~(2)~~ to provide for the payment at such rate, until
25 such time as such payment is terminated by such depart-

1 ment head, of compensation, allowances, and differ-
2 entials to any such employee so evacuated who is pre-
3 vented, by circumstances beyond his control and beyond
4 the control of the Government of the United States,
5 from performing the duties of the position which he held
6 immediately prior to such evacuation.

7 ~~(b)~~ Any advance of funds under subparagraph ~~(1)~~
8 of subsection ~~(a)~~ of this section shall be recoverable by the
9 Government of the United States from such employee or
10 his estate—

11 ~~(1)~~ by setoff against accrued salary, pay, compen-
12 sation, amount of retirement credit, or other amount
13 due such employee from the Government of the United
14 States; and

15 ~~(2)~~ by such other method as may be provided
16 by law for the recovery of amounts owing to such
17 Government.

18 The head of the department concerned is authorized, in
19 accordance with regulations prescribed by or under authority
20 of the President, to waive in whole or in part any right of
21 recovery under this subsection, if it is shown that such re-
22 covery would be against equity and good conscience or
23 against the public interest.

24 SEC. 4. The employment status of an employee (in-
25 cluding, but not limited to, his insurance, leave, retirement,

1 and other employment benefits) shall not be affected by the
2 operation of this Act or by any evacuation effected for any
3 reason specified in section 2 of this Act.

4 *That, for the purposes of this Act, the term—*

5 (1) “department” means—

6 (A) each executive department of the Government
7 of the United States of America;

8 (B) each agency or independent establishment in the
9 executive branch of such Government;

10 (C) each corporation wholly owned or controlled
11 by such Government;

12 (D) the judicial branch of such Government;

13 (E) the General Accounting Office;

14 (F) the Library of Congress; and

15 (G) the municipal government of the District of
16 Columbia.

17 (2) “head of each department” or “department head”
18 means—

19 (A) the Director of the Administrative Office of
20 the United States Courts with respect to the judicial
21 branch of the Government; and

22 (B) the Board of Commissioners of the District of
23 Columbia with respect to the municipal government of
24 the District of Columbia.

25 (3) “United States”, when used in a geographical sense,

1 means the several States of the United States of America
2 and the District of Columbia.

3 SEC. 2. (a) The head of each department is authorized
4 to provide for the payment, in advance, of compensation,
5 allowances, and differentials, or any of them, covering a
6 period of not more than thirty days, to or for the account
7 of each employee of such department (or, under emergency
8 circumstances and on a reimbursable basis, an employee of
9 any other department) whose evacuation (or that of his de-
10 pendents or immediate family, as applicable) from a place
11 within or outside the United States is ordered for military
12 or other reasons which create imminent danger to the life or
13 lives of such employee or of such dependents or immediate
14 family.

15 (b) Subject to adjustment of the account of such em-
16 ployee in accordance with section 4 of this Act and other
17 applicable law, such advance payment of compensation,
18 allowances, and differentials shall be at rates then currently
19 authorized with respect to such employee, on the date such
20 advance payment is made, under procedures of such depart-
21 ment governing advance payments under this subsection; but
22 such rates so authorized shall not exceed the rates to which
23 such employee was entitled immediately prior to the issuance
24 of such order of evacuation.

25 (c) An advance of funds under subsection (a) of this
26 section shall be recoverable by the Government of the United

1 *States or the municipal government of the District of Colum-*
2 *bia, as the case may be, from such employee or his estate—*

3 *(1) by setoff against accrued compensation, amount*
4 *of retirement credit, or other amount due such employee*
5 *from the Government of the United States or the municipi-*
6 *pal government of the District of Columbia, and*

7 *(2) by such other method as may be provided by*
8 *law.*

9 *(d) The head of the department concerned is authorized*
10 *to waive in whole or in part any right of recovery of an*
11 *advance of funds under subsection (a) of this section, if it*
12 *is shown that such recovery would be against equity and good*
13 *conscience or against the public interest.*

14 *SEC. 3. (a) The head of each department is au-*
15 *thorized—*

16 *(1) to provide for the payment of monetary*
17 *amounts, covering a period of not more than sixty days*
18 *(except that the President may extend such period with*
19 *respect to the executive branch for not more than one*
20 *hundred and twenty additional days if he determines*
21 *that the extension of such period is in the interest of*
22 *the United States), to or for the account of each em-*
23 *ployee of such department (or, under emergency cir-*
24 *cumstances and on a reimbursable basis, an employee*
25 *of any other department)—*

1 (A) whose evacuation from a place within or
2 outside the United States is ordered for military
3 or other reasons which create imminent danger to the
4 life of the employee, and

5 (B) who is prevented, by circumstances beyond
6 his control and beyond the control of the Govern-
7 ment of the United States or the municipal govern-
8 ment of the District of Columbia, or both, as applica-
9 ble, from performing the duties of the position which
10 he held immediately prior to the issuance of such
11 order of evacuation; and

12 (2) to provide for the termination of payment of
13 such amounts.

14 (b) Subject to adjustment of the account of such employee
15 in accordance with section 4 of this Act and other applicable
16 law, each payment under this section shall be at rates of
17 compensation, allowances, and differentials, or any of them,
18 then currently authorized with respect to such employee, on
19 the date such payment is made, under procedures of such
20 department governing payments under this section. Such
21 rates so authorized shall not exceed the rates to which such
22 employee was entitled immediately prior to the issuance of
23 the order of evacuation, except that any such employee in

1 the executive branch may be granted such additional allow-
2 ance payments as the President determines necessary to offset
3 the direct added expenses incident to the evacuation.

4 (c) Each period for which payment of amounts may be
5 made under this section to or for the account of an employee
6 shall be held and considered, for all purposes with respect
7 to such employee, as a period of active service (without break
8 in service) rendered by such employee in the employment of
9 the Government of the United States or the municipal gov-
10 ernment of the District of Columbia.

11 SEC. 4. The head of each department—

12 (1) shall provide for the review of the account of
13 each employee of such department in receipt of payments
14 in accordance with section 2 or 3, or both, as the case
15 may be, of this Act, and

16 (2) shall provide for the adjustment of the amounts
17 of such payments on the basis of (A) the rates of com-
18 pensation, allowances, and differentials to which such
19 employee would have been entitled, under applicable law
20 other than this Act, for the respective periods covered
21 by such payments, if he had rendered active service, in
22 accordance with the terms of his appointment, during

1 each such period in the position which he held immedi-
2 ately prior to the issuance of the applicable order of
3 evacuation and (B) such additional amounts as such
4 employee may be authorized to receive in accordance
5 with a determination of the President under section 3(b)
6 of this Act.

7 SEC. 5. The head of each department is authorized to
8 establish procedures under which each employee of such
9 department is permitted to make allotments and assignments
10 of amounts out of his compensation for such purpose as such
11 department head deems appropriate.

12 SEC. 6. (a) To the extent practicable in the public in-
13 terest, the President shall coordinate the policies and pro-
14 cedures of the respective departments in the executive branch
15 under this Act.

16 (b) The President, with respect to the executive branch,
17 and the head of the department concerned, with respect to the
18 appropriate department outside the executive branch, shall
19 prescribe and issue, or provide for the formulation and
20 issuance of, such regulations as are necessary and appropri-
21 ate to carry out the provisions, accomplish the purposes, and
22 govern the administration, of this Act. Such regulations
23 shall be issued on or before the ninetieth day following the

1 date of enactment of this Act and shall become effective on
2 the ninetieth day following the date of issuance.

3 (c) The head of each department in the executive branch
4 is authorized to prescribe and issue such regulations (not
5 inconsistent with the regulations of the President issued under
6 subsection (b) of this section) as are necessary and appro-
7 priate to carry out the functions of such department head
8 under this Act.

9 SEC. 7. Notwithstanding any provision of this Act or
10 the repeal or amendment thereby of any provision of law,
11 and until such time as regulations prescribed by or under
12 authority of the President are issued under section 6(b) of
13 this Act and become effective, allotments and assignments of
14 pay of employees in the executive branch may be made in
15 accordance with such provisions of law so amended or re-
16 pealed and the regulations issued thereunder; and such
17 regulations may be amended or revoked in accordance with
18 such provisions of law.

19 SEC. 8. Funds available to each department for pay-
20 ment of compensation, allowances, and differentials to or for
21 the accounts of civilian officers and employees of such de-
22 partment also shall be available for payment of compensa-
23 tion, allowances, and differentials to or for the accounts of

1 employees of any other department in accordance with this
2 Act and on a reimbursable basis.

3 SEC. 9. (a) The following provisions of law are hereby
4 repealed:

5 (1) The Joint Resolution entitled "Joint Resolution
6 authorizing assignment of pay of teachers and other em-
7 ployees of the Bureau of Education in Alaska", ap-
8 proved March 21, 1906 (34 Stat. 824; 48 U.S.C. 171);

9 (2) The paragraph in the first section of the Act of
10 June 30, 1906, under the heading "Under the Depart-
11 ment of the Interior", under the subheading "United
12 States Geological Survey", and under the caption "Scien-
13 tific Assistants of the Geological Survey" (34 Stat. 727;
14 43 U.S.C. 35), which reads as follows:

15 "The Secretary of the Interior is hereby authorized to
16 permit scientific and other employees of the United States
17 Geological Survey, employed in the field, to make assign-
18 ments of their pay, under such regulations as he may pre-
19 scribe, during such time as they may be in the employ of
20 the United States Geological Survey. And the Secretary
21 of the Interior is further authorized, in his discretion, under
22 such regulations as he may prescribe, to reimburse the scien-
23 tific and other employees for expenses incurred by them in the
24 discharge of their duties in the field and paid from their
25 personal funds.";

1 (3) *That part of the first section of the Act of May 27,*
2 *1908, under the heading "Under the Department of the*
3 *Interior", under the subheading "United States Geological*
4 *Survey", and under the caption "For General Expenses*
5 *of the Geological Survey" (35 Stat. 350; 43 U.S.C.*
6 *382), which reads as follows:*

7 *"The Secretary of the Interior is hereby authorized to*
8 *permit the employees of the Reclamation Service, while em-*
9 *ployed in the field, to make assignments of their pay under*
10 *such regulations as he may prescribe.";*

11 (4) *The second paragraph under the center heading*
12 *"MISCELLANEOUS" and under the side heading*
13 *"Paper Tests" in the Act entitled "An Act making ap-*
14 *propriations for the Department of Agriculture for the*
15 *fiscal year ending June thirtieth, nineteen hundred and*
16 *ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C.*
17 *529), which reads as follows:*

18 *"And hereafter the Secretary of Agriculture is author-*
19 *ized to permit employees of the Department of Agriculture*
20 *to make assignments of their pay, under such regulations as*
21 *he may prescribe, during such time as they may be in the*
22 *employ of the said department.";*

23 (5) *The proviso contained in the second paragraph*
24 *under the center heading "DEPARTMENT OF*
25 *COMMERCE AND LABOR" and under the side*

1 heading "Office of the Secretary" in the Act entitled "An
2 Act making appropriations for the legislative, executive,
3 and judicial expenses of the Government for the fiscal
4 year ending June thirtieth, nineteen hundred and eleven,
5 and for other purposes", approved June 17, 1910 (36
6 Stat. 524; 5 U.S.C. 595), which reads as follows:
7 "Provided, That the Secretary of Commerce and Labor is
8 hereby authorized, under such regulations as he may pre-
9 scribe, to permit officers and employees of the several
10 bureaus and divisions of the Department of Commerce
11 and Labor to assign their salaries while absent from
12 Washington, District of Columbia, and employed in the
13 field"; and

14 (6) The Act entitled "An Act authorizing allot-
15 ment of pay by civilian personnel stationed abroad",
16 approved May 14, 1937 (50 Stat. 166; 5 U.S.C.
17 75c).

18 (b) That part of the first section of the Act of March 4,
19 1907, under the heading "Under the Department of Com-
20 merce and Labor" and under the subheading "Coast and
21 Geodetic Survey", as amended by the first section of the
22 Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862),
23 relating to assignments and allotments of pay of personnel
24 of the United States Coast and Geodetic Survey, is amended
25 to read as follows:

1 *“Commissioned officers of the United States Coast and*
2 *Geodetic Survey are authorized to make assignments or*
3 *allotments of their pay under such regulations as the Secre-*
4 *tary of Commerce may prescribe.”.*

5 *(c) Section 3689(d) of title 10 of the United States*
6 *Code is amended—*

7 *(1) by inserting the word “or” immediately fol-*
8 *lowing the semicolon at the end of clause (1);*

9 *(2) by striking out the word “or” immediately fol-*
10 *lowing the semicolon at the end of clause (2); and*

11 *(3) by striking out clause (3) which reads:*

12 *“(3) permanent civilian employee of the Depart-*
13 *ment of the Army on duty outside the United States;”.*

14 *(d) Section 8689(d) of title 10 of the United States*
15 *Code is amended—*

16 *(1) by inserting the word “or” immediately follow-*
17 *ing the semicolon at the end of clause (1);*

18 *(2) by striking out the word “or” immediately fol-*
19 *lowing the semicolon at the end of clause (2); and*

20 *(3) by striking out clause (3) which reads:*

21 *“(3) permanent civilian employee of the Depart-*
22 *ment of the Air Force on duty outside the United*
23 *States;”.*

87TH CONGRESS
1ST SESSION**H. R. 2555**

[Report No. 584]

A BILL

To provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

By Mr. MURRAY

JANUARY 12, 1961

Referred to the Committee on Post Office and Civil Service

JUNE 27, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Amend the title so as to read: "A bill to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes."

HOUSE

10. SURPLUS COMMODITIES. Passed without amendment S. 1720, to make permanent the authority of the President under title II of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), as amended, to utilize surplus agricultural commodities to assist needy peoples and to promote economic development in underdeveloped areas of the world. This bill will now be sent to the President. p. 11315
11. SURPLUS PROPERTY. Passed without amendment S. 537, to amend the Surplus Property Act of 1944 to revise a restriction on the conveyance of surplus land for historic-monument purposes. This bill will now be sent to the President. p. 11322
Passed without amendment S. 796, to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the use of surplus personal property by State distribution agencies. This bill will now be sent to the President. p. 11316
12. PUBLICATIONS. Passed without amendment S. 540, to authorize agencies of the Government of the United States to pay in advance for required publications. This bill will now be sent to the President. p. 11316
13. ASSISTANT SECRETARIES. Reps. Gross, Weaver, and Ford, objected to the consideration of H. R. 6882, to provide for one additional Assistant Secretary of Labor, and the bill was stricken from the Consent Calendar. p. 11312
14. MIGRATORY WATERFOWL. Passed without amendment H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat. pp. 11358-62
15. PERSONNEL. ~~Passed over without prejudice H. R. 7043, to amend the salary retention provisions of the Classification Act of 1949 so as to include statutory salary increases in the retained rates of employees involved in downgradings, and to make ineligible for salary retention protection an employee whose reduction to his existing grade is a condition of his temporary promotion to a higher grade. p. 11314~~
Passed over without prejudice H. R. 2555, to provide for allotment and advancement of pay with respect to civilian employees of the U. S. in cases of emergency evacuations in oversea areas. p. 11317
16. PUBLIC LANDS; FORESTRY. Passed as reported H. R. 6067, to provide for an appropriation of not to exceed \$35,000 with which to make a survey of a proposed national parkway from the Blue Ridge Parkway at Tennessee Bald or Beech Gap southwest and running into Georgia (the proposed parkway would traverse certain national forest lands). pp. 11320-1
Passed without amendment H. R. 7042, to add 1,040 acres of land in the Lassen National Forest to the Lassen Volcanic National Park, Calif. p. 11322
17. GRAPES AND PLUMS. The Agriculture Committee reported without amendment H. R. 6253, to establish minimum standards of quality for any variety of grapes and plums (H. Rept. 682). p. 11378
18. IRRIGATION. The Interior and Insular Affairs Committee reported without amendment H. R. 7596, to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project (H. Rept. 685). p. 11379

19. VOCATIONAL RETRAINING. Rep. Curtis, Mo., inserted an article, "The Hard Realities of Retraining." pp. 11366-8

ITEMS IN APPENDIX

20. PRICES. Extension of remarks of Sen. Capehart inserting an article, "Who's To Blame For The High Cost Of Living?" p. A5075
21. EXPENDITURES. Extension of remarks of Rep. Ford inserting an editorial embodying a statement by Rep. Griffin on "back-door spending." pp. A5075-6
22. FARM PROGRAM. Extension of remarks of Rep. Michel inserting an editorial criticizing the proposed farm bill. p. A5086
Extension of remarks of Rep. Rousselot stating that "stories about extravagant agricultural subsidies are legion," and inserting an article, "Farmer Buys Cadillac To Rib Crop Control." p. A5087
Extension of remarks of Rep. Conte inserting an editorial, "The Freeman Wailing Wall." p. A5104
Extension of remarks of Rep. Beckworth inserting various tabulations on price support loans, and the number of farms reporting harvested acres. pp. A5132-40
Extension of remarks of Rep. Derwinski criticizing the proposed farm bill and inserting two articles on this subject. p. A5140
23. ELECTRIFICATION. Extension of remarks of Sen. Hartke inserting five prize winning essays on "What Rural Electrification Means To My Community." pp. A5094-7
Extension of remarks of Rep. Holifield favoring and Rep. Hosmer opposing the proposed provision in the AEC authorization bill to establish the new production reactor at Hanford, Wash. pp. A5099-103, A5130-2
24. ECONOMICS. Extension of remarks of Sen. Hartke inserting Labor Secretary Goldberg's letter commenting on the administration's economic programs and stating that it is "an answer to political charges that they are retreads and modifications of old programs." p. A5109
25. FOREIGN AID. Extension of remarks of Rep. Albert inserting an article, "Foreign Aid -- Persuasive Reasons for Approval." p. A5125
26. RESEARCH. Extension of remarks of Sen. Smith inserting an outline of the study made by the National Science Foundation as to national needs in scientific research and education during the next 10 years. pp. A5126-7

BILLS INTRODUCED

27. LANDS. S. 2213, by Sen. Gruening (for himself and Sen. Bartlett), to convey the interest of the United States in certain land to the city of Sitka, Alaska; to Interior and Insular Affairs Committee.
S. 2219, by Sen. Bible (by request), to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites to repeal obsolete statutes; to Interior and Insular Affairs Committee.
28. RESEARCH. H. R. 8046, by Rep. St. George, to provide for the establishment, under the National Science Foundation, of a National Science Academy; to Science and Astronautics Committee.

(1) by inserting the following new section after section 923:

"§ 923a. Art. 123a. Making, drawing, or uttering check, draft, or order without sufficient funds

"Any person subject to this chapter who—
"(1) for the procurement of any article or thing of value, with intent to defraud; or

"(2) for the payment of any past due obligation, or for any other purpose, with intent to deceive;

makes, draws, utters, or delivers any check, draft, or order for the payment of money upon any bank or other depository, knowing at the time that the maker or drawer has not or will not have sufficient funds in or credit with the bank or other depository for the payment of that check, draft, or order in full upon its presentment, shall be punished as a court-martial may direct. The making, drawing, uttering, or delivering by a maker or drawer of a check, draft, or order, payment of which is refused by the drawee because of insufficient funds of the maker or drawer in the drawee's possession or control, is prima facie evidence of his intent to defraud or deceive and of his knowledge of insufficient funds in, or credit with, that bank or other depository, unless the maker or drawer pays the holder the amount due within five days after receiving notice, orally or in writing, that the check, draft, or order was not paid on presentment. In this section, the word 'credit' means an arrangement or understanding, express or implied, with the bank or other depository for the payment of that check, draft, or order."; and

(2) by inserting the following new item in the analysis:

"923a. 123a. Making, drawing, or uttering check, draft, or order without sufficient funds."

SEC. 2. This Act becomes effective on the first day of the fifth month following the month in which it is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALLOTMENT OF PAY IN EMERGENCY EVACUATIONS

The Clerk called the bill (H.R. 2555) to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

[Mr. GROSS addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

PROMOTION OPPORTUNITY FOR AIR FORCE OFFICERS

The Clerk called the bill (H.R. 7809) to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Act of September 21, 1959, Public Law 86-335 (73 Stat. 600), as follows the enacting clause is amended to read as follows: "That during the period beginning on the date of enactment of this amended Act and ending at the close of June 30, 1962, any authorized strength prescribed for the grade of lieutenant colonel by or under section 8202 of title 10, United States Code, may be exceeded by not more than four thousand eight hundred."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT NECESSITY NATIONAL BATTLEFIELD SITE, PA.

The Clerk called the bill (H.R. 493) to provide additional lands at, and change the name of, the Fort Necessity National Battlefield Site, Pa., and for other purposes.

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that this land in southern Pennsylvania is going to be purchased at the rate of \$700 an acre?

Mr. MORGAN. The gentleman will notice that the bill authorizes the Secretary of Interior to acquire the land by purchase, exchange donation, or by such means to be in the public interest. I do not feel the amount authorized in the bill will be needed to purchase the 160 acres. The figure of \$115,000 was inserted by the Committee on Interior and Insular Affairs.

I also inform the gentleman that the bill gives 340 acres of land to the Federal Government for one dollar, by the State of Pennsylvania.

Mr. GROSS. But is not \$700 an acre for southern Pennsylvania land an excessive price for that kind of land?

Mr. MORGAN. I am sure the land can be purchased for a smaller amount.

Mr. GROSS. We will sell you the finest kind of farm land in the State of Iowa, and I mean Grade A land for less than \$700 an acre, I will say to the gentleman.

Mr. RUTHERFORD of Texas. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. RUTHERFORD of Texas. This land must still be appraised. The purpose of the limitation set by the subcommittee of \$115,000 is just that, a limitation. It does not necessarily mean that we recommend that they pay \$115,000 for land at \$700 an acre.

Mr. GROSS. I understand all that, but we are here asked to authorize \$115,000 to buy 160 acres of southern Pennsylvania land and I contend that is excessive.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTABLISHING A NATIONAL HISTORIC SITE AT FORT DAVIS, JEFF DAVIS COUNTY, TEX.

The Clerk called the bill (H.R. 566) authorizing the establishment of a national historic site at Old Fort Davis, Jeff Davis County, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to know something about this National Park bill. Will the gentleman tell us what is proposed to be done?

Mr. RUTHERFORD. Responding to the question of the gentleman from Iowa, may I say that this is one of three forts in the Southwest that properly projects and portrays the opening of the western portion of the United States. The National Advisory Committee on Historic Old Forts on Indian Reservations eliminated many of these sites. This particular one, it was pointed out, was one of the best preserved and most representative of the old Indian forts in the Southwest. This fort was the birthplace of the Signal Corps of the U.S. Army, among other historic aspects. This is not a fort to be restored. It is presently being maintained and preserved in a very high state.

Mr. GROSS. Where is this fort?

Mr. RUTHERFORD. It is in the State of Texas, in the southwestern portion of the United States.

Mr. GROSS. What is farmland worth in that area?

Mr. RUTHERFORD. The market value, as market values usually go. I would say the price put on this of \$500 an acre would result in its being snapped up very readily.

Mr. GROSS. Is this irrigated land?

Mr. RUTHERFORD. No, this is pasture land.

Mr. GROSS. Where is it Where in Texas is it—near El Paso?

Mr. RUTHERFORD. This is half way between El Paso and San Antonio.

Mr. GROSS. Between El Paso and San Antonio?

Mr. RUTHERFORD. Yes. The location of this old fort was the outpost to protect those going west to California along the old trail.

Mr. GROSS. Does the gentleman say that land in that area is worth \$500 an acre?

Mr. RUTHERFORD. For this particular purpose, yes.

Mr. GROSS. Then you do not have enough money in this bill because you want 480 acres and you have \$115,000 to buy it with. You do not have enough money in this bill.

Mr. RUTHERFORD. Yes, we have sufficient money. We think we have more than sufficient money, because since approval of the subcommittee of this legislation we already have one donor of around \$2,500, and we expect to receive more donations to reduce the outlay by the Federal Government.

Mr. GROSS. Then you do not need \$115,000. If you are going to get all of these donations, you do not need the \$115,000?

Mr. RUTHERFORD. That is correct. We hope this money will not be needed.

Mr. GROSS. Does not the gentleman think it would be a good idea to see how much more may be donated? Maybe all of this \$115,000 will be donated.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. IKARD of Texas). Is there objection to the request of the gentleman from Iowa? There was no objection.

EXCHANGE OF CERTAIN PROPERTY IN ROCKY MOUNTAIN NATIONAL PARK, COLO.

The Clerk called the bill (H.R. 2203) to authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colo., and for other purposes.

There being no objection, the Clerk read the bill as follows:

A bill to authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colorado, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to exchange in the manner and to the extent hereinafter provided land, interests in land, and improvements in Rocky Mountain National Park:

(1) The Secretary may convey to the Colorado Transportation Company the right, title, and interest which the United States has in the Fall River Pass Building, but not the land upon which the building is situated, adjacent to the Trail Ridge Road in section 36, township 6 north, range 75 west: *Provided*, the United States shall reserve for a period of two years the right to use without charge the alpine exhibit room; and he may also convey to said company all right, title, and interest of the United States in and to the property known as Grand Lake Lodge, described in section 3 hereof as parcel A, including the land and any improvements thereon owned by the United States;

(2) In exchange for the foregoing, the Secretary is authorized to accept from the Colorado Transportation Company the land and interests therein located in Rocky Mountain National Park, described in section 3 as parcels C and D, together with such other privately owned land and interests in land within the park as he may designate;

(3) In exchange for the Government property conveyed pursuant to this Act, the United States shall receive other property of approximately equal value and such differences as there may be in values shall be equalized by a payment of funds.

SEC. 2. Upon consummation of the exchange the Secretary shall, by publishing notice in the Federal Register, revise the boundary of Rocky Mountain National Park so as to exclude from the park the land described in section 3 as combined parcels A and B.

SEC. 3. The aforesaid parcels, A, C, and D, and the combined parcels A and B are more particularly described as follows:

PARCEL A

Beginning at the southeast corner of section 31, township 4 north, range 75 west of the sixth principal meridian; thence north along the east line of said section 31 800.0 feet; thence west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.60 feet; thence south 497.82 feet, more or less, to

the south line of said section 31; thence east along the south line of said section 31 to the point of beginning, containing 35 acres more or less.

PARCEL C

Beginning at a point on the west line of section 32, township 4 north, range 75 west of the sixth principal meridian, 800 feet north of the southwest corner of said section 32; thence east 660.0 feet; thence north 520.0 feet; thence east 660.0 feet; thence north 1,325.94 feet; thence west to the west line of said section 32; thence south along said west line of said section 32 to the point of beginning, containing 48 acres, more or less.

PARCEL D

Beginning at a point 800.0 feet north of the south line of section 32, township 4 north, range 75 west of the sixth principal meridian and 660.0 feet east of the west line of said section 32; thence east 1,962.18 feet; thence north 520.0 feet; thence west 1,962.18 feet; thence south 520.0 feet to the point of beginning, containing 23.5 acres, more or less.

COMBINED PARCELS A AND B

Beginning at the corner common to sections 31 and 32, township 4 north, range 75 west, and sections 5 and 6, township 3 north, range 75 west, sixth principal meridian; thence south 88 degrees 55 minutes east, 660.0 feet along the south section line of said section 32; thence north 800.0 feet; thence west 660.0 feet, more or less, to a point on the section line common to said sections 31 and 32; thence continuing west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.6 feet; thence south 497.82 feet, more or less, to a point on the south section line of said section 31; thence south 89 degrees 24 minutes east, 2,389.47 feet along the south section of line said section 31 to the point of beginning; the tract as described containing approximately 47 acres.

With the following committee amendments:

Page 1, line 8, strike out the words "right, title, and" and insert in lieu thereof the word "possessory".

Page 2, line 19, strike out the word "funds," and insert in lieu thereof: "funds: *Provided*, That all procedures and rights authorized in this Act shall be in conformity with that agreement entered into under date of February 7, 1961, by and between the United States of America and the Colorado Transportation Company."

Page 3, line 1, after the word "are" insert "subject to minor revisions or corrections of a technical nature."

Page 3, line 6, strike out the entire line and insert in lieu thereof "thence north 800.0 feet along the east line of said section 31;"

Page 3, line 23, strike out all of the description through page 4, line 4, and insert in lieu thereof: "Beginning at a point 800.0 feet north and 660.0 feet east of the southwest corner of section 32, township 4 north, range 75 west of the sixth principal meridian; thence east 1962.18 feet; thence north 520.0 feet; thence west 1962.18 feet; thence south 520.0 feet to the point of beginning, containing 23.5 acres more or less."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOOD COUNTY, TEX.

The Clerk called the bill (H.R. 4360) for the relief of Hood County, Tex.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like an explanation of this bill, if I may have it, from some Member.

Mr. LANE. Mr. Speaker, in reply to the gentleman from Iowa, may I state that the bill for the relief of Hood County, Tex., is one which passed not only the Committee on the Judiciary last year but passed the House. However, it was not considered on the Senate side. It calls for an expenditure of \$10,279 to reimburse that small county in Texas for the county's claim for damages under the original Disaster Act. Due to some confusion at the time application for payment was not properly filed on time. This amount of \$10,279 is the amount established by the U.S. Government at the time it was settling those damage claims for that disaster in Texas back a few years ago and is the amount that has been arrived at by the United States. Because of some difficulty in the county government at the time, the claims and forms all were completed and executed but failed to be filed within the statutory period. For that reason this bill merely waives the statute of limitations and gives to that little county the sum of \$10,279 to which they are rightfully and properly entitled because of the fact, the disaster occurred there. All the other cities and counties were paid. This county is the only area left out of the disaster settlement at that time.

Mr. GROSS. Let me see if I get this picture correctly: The relief train went by Hood County, Tex., and somebody failed to flag it at the proper time; is that correct?

Mr. LANE. I would not say it that way. There was some little confusion, some little petty jealousy in the county government, and the person who was supposed to file the necessary papers overlooked filing them on time. This bill is the amount that the Government recommended be paid had forms been filed on time and for that reason your committee felt that this county should be given the relief they are entitled to.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

H.R. 4360

A bill for the relief of Hood County, Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Commissioners Court of Hood County, Texas, the sum of \$10,279. The payment of such sum shall be in full settlement of all claims of the Commissioners Court resulting from flood damages during the period April 19, 1957, to April 27, 1957, for which application was not timely filed under administrative agreement between the State of Texas and the executive branch of the United States as a result of the President's declaration of this area as a disaster area under the pro-

10. WHEAT. Passed without amendment S. J. Res. 116, to extend until Aug. 26, 1961, the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1962. This bill will now be sent to the President. p. 11795
11. CENTENNIALS. By a vote of 367 to 12, passed under suspension of the rules H. J. Res. 435, to provide for recognition of the centennial of the establishment of the Department of Agriculture. pp. 11809-15
Passed without amendment H. J. Res. 436, to provide for recognition of the centennial of the establishment of the national system of land-grant universities and colleges. pp. 11798-9
12. GRAPES AND PLUMS. Passed without amendment S. 1462, to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums. This bill will now be sent to the President. A similar bill, H. R. 6253, was tabled. p. 11804
13. WATERSHEDS. Passed with amendment S. 650, to amend the Watershed Protection and Flood Prevention Act so as to permit any irrigation or reservoir company, water users' association, or similar organization having such authority and not being operated for profit, that may be approved by the Secretary of Agriculture to sponsor works of improvement. A similar bill, H. R. 3462, was tabled. pp. 11803-4
14. PERSONNEL. ~~Passed as reported H. R. 7043, to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions. pp. 11800-1~~
By a vote of 285 to 86, passed under suspension of the rules H. R. 2555, to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, and to consolidate the laws governing allotment and assignment of pay by such employees. pp. 11815-20
15. LIBRARIES. The House Administration Committee reported without amendment H. R. 8141, to revise the laws relating to depository libraries (H. Rept. 724). p. 11851
16. RURAL DEVELOPMENT. Rep. Patman discussed the "Housing Act's community facilities provisions, which were designed especially to help improve the economic structures of our smaller communities." pp. 11825-6

ITEMS IN APPENDIX

17. LANDS. Extension of remarks of Rep. Durno discussing programs of the Bureau of Land Management and their study now going on "looking toward the improvement in grazing lands ..." pp. A5335-6
18. ELECTRIFICATION. Extension of remarks of Rep. Evins inserting his newsletter, "The President, TVA, and the Public Interest." p. A5336
19. FOREIGN AID. Extension of remarks of Reps. Derounian and Pelly inserting an article, "Another Aid Deluge?" pp. A5340, A5397-8
Extension of remarks of Rep. McCormack and Sen. Humphrey inserting an address by George Meany, AFL-CIO, "Foreign Aid and Freedom," in support of the administration's foreign aid program. pp. A5350-1, A5364-5

Extension of remarks of Rep. Pelly stating that I have read with interest that the American Farm Bureau Federation "supports congressional control over foreign aid expenditures." p. A5414

20. FARM PROGRAM. Extension of remarks of Rep. Rousselot inserting the Young Republican National Federation platform including sections on agriculture, fiscal policy, and labor. pp. A5344-5, A5345-6
21. SAFETY. Extension of remarks of Sen. Humphrey inserting his recent address at the President's Safety Awards Ceremony. pp. A5348-9
22. RESEARCH. Extension of remarks of Sen. Metcalf inserting Interior Secretary Udall's statement before the House Interior Committee on the saline water conversion program. pp. A5366-7
23. CENTENNIAL. Extension of remarks of Rep. Findley inserting an Ill. State senate resolution concerning the proposed celebration of the land-grant colleges and State universities. p. A5372
24. MEAT PRICES. Extension of remarks of Rep. Harvey inserting an article, "How Come? -- 26 Cents On Hoof, \$1.04 A Pound At Meat Counter." p. A5373
25. RURAL COUNTIES. Extension of remarks of Rep. Schwengel expressing his approval of proposals to aid small towns and rural counties and inserting an article, "A Proposal To Assist Towns, Both Large and Small." pp. A5376-7
26. RECREATION. Extension of remarks of Rep. Ullman inserting an article, "Needed: Space To Play," and stating that it points out the increasing importance of outdoor recreation and indicates some of the factors which confirm that this is an area of national responsibility. pp. A5377-9
27. WATER POLLUTION. Extension of remarks of Rep. Blatnik inserting a report of the Committee on Industrial and Municipal Water Use and Pollution Abatement to the National Rivers and Harbors Congress. pp. A5379-80
28. SMALL BUSINESS. Extension of remarks of Rep. Evins inserting the first report of the House Select Committee on Small Business highlighting important activities and accomplishments of the committee. pp. A5405-7

BILLS INTRODUCED

29. BANKING. S. 2264, by Sen. Javits, to provide for the continuation of the Export-Import Bank for an additional 5 years; to Banking and Currency Committee. Remarks of author. pp. 11725-6
30. NATIONAL FLOWER. S. J. Res. 118, by Sen. Keating (for himself and others), designating the rose as the national flower of the United States; to Judiciary Committee. Remarks of Sen. Keating. p. 11727
31. CCC. H. R. 8176, by Rep. Spence, to authorize annual appropriation to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals; to Banking and Currency Committee. Remarks of author. p. 11825

Jensen	Monagan	Scherer
Joelson	Montoya	Schneebell
Johansen	Moore	Schweiker
Johnson, Calif.	Moorehead,	Schwengel
Johnson, Md.	Ohio	Scott
Johnson, Wls.	Moorhead, Pa.	Seely-Brown
Jones	Morgan	Selden
Jones, Ala.	Morris	Sheppard
Jones, Mo.	Morse	Shipley
Judd	Moshier	Short
Karsten	Moss	Shriver
Karth	Multer	Sikes
Kastenmeier	Murphy	Siler
Kearns	Murray	Sisk
Keith	Natcher	Slack
Kelly	Nelsen	Smith, Calif.
Kilday	Nix	Smith, Iowa
Kilgore	Norblad	Smith, Miss.
King, Calif.	Norrell	Smith, Va.
King, N.Y.	Nygaard	Spence
King, Utah	O'Brien, Ill.	Springer
Kirwan	O'Hara, Ind.	Stafford
Kitchin	O'Hara, Mich.	Steed
Knox	O'Konski	Stephens
Kornegay	Olsen	Stratton
Kowalski	Osmers	Stubblefield
Kunkel	Ostertag	Sullivan
Kyl	Passman	Taylor
Laird	Patman	Teague, Calif.
Landrum	Pelly	Teague, Tex.
Lane	Perkins	Thomas
Langen	Peterson	Thompson, La.
Latta	Pfost	Thompson, Tex.
Lennon	Pike	Thomson, Wls.
Lesinski	Pilcher	Thornberry
Libonati	Pirnie	Toll
Lindsay	Poage	Tollefson
Lipscomb	Poff	Trimble
Losei	Powell	Tuck
McCormack	Price	Tupper
McCulloch	Pucinski	Udall
McDonough	Quie	Ullman
McDowell	Rabaut	Vanik
McFall	Rains	Van Pelt
McMillan	Randall	Van Zandt
McSweeney	Reece	Vinson
MacGregor	Reifel	Wallhauser
Machrowicz	Reuss	Walter
Mack	Rhodes, Ariz.	Watts
Magnuson	Rhodes, Pa.	Weaver
Mahon	Riehlman	Westland
Mailliard	Riley	Whalley
Marshall	Rivers, Alaska	Wharton
Martin, Mass.	Robison	Whitener
Martin, Nebr.	Rodino	Whitten
Mathias	Rogers, Colo.	Wickersham
Matthews	Rogers, Fla.	Widnall
May	Rogers, Tex.	Williams
Meador	Roosevelt	Wilson, Calif.
Morrow	Roush	Wilson, Ind.
Miller, Clem	Rousselot	Winstead
Miller,	Rutherford	Wright
George P.	Ryan	Yates
Miller, N.Y.	St. George	Young
Milliken	Saund	Younger
Mills	Saylor	Zablocki
Minshall	Schadeberg	Zelenko
Moeller	Schenck	

NAYS—12

Dulski	Hosmer	Ray
Gross	McVey	Scranton
Hiestand	Mason	Taber
Hoffman, Mich.	Pillion	Utt

NOT VOTING—58

Alford	Friedel	Michel
Alger	Glaime	Morrison
Anfuso	Glenn	Moulder
Avery	Granahan	O'Brien, N.Y.
Bailey	Gray	O'Neill
Bass, N.H.	Green, Oreg.	Philbin
Betts	Griffin	Rivers, S.C.
Blitch	Hall	Roberts
Boggs	Halpern	Rooney
Bow	Healey	Rostenkowski
Buckley	Jennings	Roudebush
Cannon	Kee	St. Germain
Cohelan	Keogh	Santangelo
Cook	Kilburn	Shelley
Cramer	Klaczynski	Sibal
Delaney	Lankford	Staggers
Derwinski	McIntire	Thompson, N.J.
Donohue	Macdonald	Weis
Feighan	Madden	Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Cohelan with Mr. Derwinski.
Mr. Boggs with Mr. Cramer.

Mr. Willis with Mr. Alger.
Mr. Staggers with Mr. Bass of New Hampshire.

Mr. Jennings with Mr. Glenn.
Mr. Moulder with Mr. Michel.
Mr. Morrison with Mr. Roudebush.
Mr. Feighan with Mr. Avery.
Mrs. Granahan with Mr. Bow.
Mr. O'Neill with Mr. Sibal.
Mr. Rostenkowski with Mr. Betts.
Mr. Gialmo with Mr. Hall.
Mr. Friedel with Mr. Kilburn.
Mr. St. Germain with Mr. Griffin.
Mr. Anfuso with Mr. McIntire.
Mr. Delaney with Mr. Halpern.
Mr. Santangelo with Mrs. Weis.

The vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ALLOTMENT OF PAY IN EMERGENCY EVACUATIONS

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2555) to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of this Act, the term—

(1) "department" means—

(A) each executive department of the Government of the United States of America;

(B) each agency or independent establishment in the executive branch of such Government;

(C) each corporation wholly owned or controlled by such Government;

(D) the judicial branch of such Government;

(E) the General Accounting Office;

(F) the Library of Congress; and

(G) the municipal government of the District of Columbia.

(2) "head of each department" or "department head" means—

(A) the Director of the Administrative Office of the United States Courts with respect to the judicial branch of the Government; and

(B) the Board of Commissioners of the District of Columbia with respect to the municipal government of the District of Columbia.

(3) "United States", when used in a geographical sense, means the several States of the United States of America and the District of Columbia.

SEC. 2 (a) The head of each department is authorized to provide for the payment, in advance, of compensation, allowances, and differentials, or any of them, covering a period of not more than thirty days, to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department) whose evacuation (or that of his dependents or immediate family, as applicable) from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life or lives of such employee or of such dependents or immediate family.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, such advance payment of compensation, allowances, and differentials shall be at rates then

currently authorized with respect to such employee, on the date such advance payment is made, under procedures of such department governing advance payments under this subsection; but such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of such order of evacuation.

(c) An advance of funds under subsection (a) of this section shall be recoverable by the Government of the United States or the municipal government of the District of Columbia, as the case may be, from such employee or his estate—

(1) by setoff against accrued compensation, amount of retirement credit, or other amount due such employee from the Government of the United States or the municipal government of the District of Columbia, and

(2) by such other method as may be provided by law.

(d) The head of the department concerned is authorized to waive in whole or in part any right of recovery of an advance of funds under subsection (a) of this section, if it is shown that such recovery would be against equity and good conscience or against the public interest.

SEC. 3. (a) The head of each department is authorized—

(1) to provide for the payment of monetary amounts, covering a period of not more than sixty days (except that the President may extend such period with respect to the executive branch for not more than one hundred and twenty additional days if he determines that the extension of such period is in the interest of the United States), to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department)—

(A) whose evacuation from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life of the employee, and

(B) who is prevented, by circumstances beyond his control and beyond the control of the Government of the United States or the municipal government of the District of Columbia, or both, as applicable, from performing the duties of the position which he held immediately prior to the issuance of such order of evacuation; and

(2) to provide for the termination of payment of such amounts.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, each payment under this section shall be at rates of compensation, allowances, and differentials, or any of them, then currently authorized with respect to such employee, on the date such payment is made, under procedures of such department governing payments under this section. Such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of the order of evacuation, except that any such employee in the executive branch may be granted such additional allowance payments as the President determines necessary to offset the direct added expenses incident to the evacuation.

(c) Each period for which payment of amounts may be made under this section to or for the account of an employee shall be held and considered, for all purposes with respect to such employee, as a period of active service (without break in service) rendered by such employee in the employment of the Government of the United States or the municipal government of the District of Columbia.

SEC. 4. The head of each department—

(1) shall provide for the review of the account of each employee of such department in receipt of payments in accordance

with section 2 or 3, or both, as the case may be, of this Act, and

(2) shall provide for the adjustment of the amounts of such payments on the basis of (A) the rates of compensation, allowances, and differentials to which such employee would have been entitled, under applicable law other than this Act, for the respective periods covered by such payments, if he had rendered active service, in accordance with the terms of his appointment, during each such period in the position which he held immediately prior to the issuance of the applicable order of evacuation and (B) such additional amounts as such employee may be authorized to receive in accordance with a determination of the President under section 3(b) of this Act.

SEC. 5. The head of each department is authorized to establish procedures under which each employee of such department is permitted to make allotments and assignments of amounts out of his compensation for such purpose as such department head deems appropriate.

SEC. 6. (a) To the extent practicable in the public interest, the President shall coordinate the policies and procedures of the respective departments in the executive branch under this Act.

(b) The President, with respect to the executive branch, and the head of the department concerned, with respect to the appropriate department outside the executive branch, shall prescribe and issue, or provide for the formulation and issuance of, such regulations as are necessary and appropriate to carry out the provisions, accomplish the purposes, and govern the administration, of this Act. Such regulations shall be issued on or before the ninetieth day following the date of enactment of this Act and shall become effective on the ninetieth day following the date of issuance.

(c) The head of each department in the executive branch is authorized to prescribe and issue such regulations (not inconsistent with the regulations of the President issued under subsection (b) of this section) as are necessary and appropriate to carry out the functions of such department head under this Act.

SEC. 7. Notwithstanding any provision of this Act or the repeal or amendment thereby of any provision of law, and until such time as regulations prescribed by or under authority of the President are issued under section 6(b) of this Act and become effective, allotments and assignments of pay of employees in the executive branch may be made in accordance with such provisions of law so amended or repealed and the regulations issued thereunder; and such regulations may be amended or revoked in accordance with such provisions of law.

SEC. 8. Funds available to each department for payment of compensation, allowances, and differentials to or for the accounts of civilian officers and employees of such department also shall be available for payment of compensation, allowances, and differentials to or for the accounts of employees of any other department in accordance with this Act and on a reimbursable basis.

SEC. 9. (a) The following provisions of law are hereby repealed:

(1) The Joint Resolution entitled "Joint Resolution authorizing assignment of pay of teachers and other employees of the Bureau of Education in Alaska", approved March 21, 1906 (34 Stat. 824; 48 U.S.C. 171);

(2) The paragraph in the first section of the Act of June 30, 1906, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "Scientific Assistants of the Geological Survey" (34 Stat. 727; 43 U.S.C. 35), which reads as follows:

"The Secretary of the Interior is hereby authorized to permit scientific and other employees of the United States Geological Survey, employed in the field, to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the United States Geological Survey. And the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse the scientific and other employees for expenses incurred by them in the discharge of their duties in the field and paid from their personal funds.";

(3) That part of the first section of the Act of May 27, 1908, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "For General Expenses of the Geological Survey" (35 Stat. 350; 43 U.S.C. 382), which reads as follows:

"The Secretary of the Interior is hereby authorized to permit the employees of the Reclamation Service, while employed in the field, to make assignments of their pay under such regulations as he may prescribe.";

(4) The second paragraph under the center heading "MISCELLANEOUS" and under the side heading "Paper Tests" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529), which reads as follows:

"And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.";

(5) The proviso contained in the second paragraph under the center heading "DEPARTMENT OF COMMERCE AND LABOR" and under the side heading "Office of the Secretary" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved June 17, 1910 (36 Stat. 524; 5 U.S.C. 595), which reads as follows: "Provided, That the Secretary of Commerce and Labor is hereby authorized, under such regulations as he may prescribe, to permit officers and employees of the several bureaus and divisions of the Department of Commerce and Labor to assign their salaries while absent from Washington, District of Columbia, and employed in the field"; and

(6) The Act entitled "An Act authorizing allotment of pay by civilian personnel stationed abroad", approved May 14, 1937 (50 Stat. 166; 5 U.S.C. 75c).

(b) That part of the first section of the Act of March 4, 1907, under the heading "Under the Department of Commerce and Labor" and under the subheading "Coast and Geodetic Survey", as amended by the first section of the Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862), relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey, is amended to read as follows:

"Commissioned officers of the United States Coast and Geodetic Survey are authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.".

(c) Section 3689(d) of title 10 of the United States Code is amended—

(1) by inserting the word "or" immediately following the semicolon at the end of clause (1);

(2) by striking out the word "or" immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads: "(3) permanent civilian employee of the Department of the Army on duty outside the United States;".

(d) Section 8689(d) of title 10 of the United States Code is amended—

(1) by inserting the word "or" immediately following the semicolon at the end of clause (1);

(2) by striking out the word "or" immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads: "(3) permanent civilian employee of the Department of the Air Force on duty outside the United States;".

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the objective of H.R. 2555 is to provide for the establishment of an efficient, orderly, and equitable procedure for the payment of compensation and allowances of civilian employees of the Federal Government for use in the event an emergency requires the evacuation of employees or of their immediate families from their duty stations.

Permissive authority would be granted by this legislation to the executive and judicial branches of the Federal Government, the Library of Congress, the General Accounting Office, and the municipal government of the District of Columbia to establish procedures for the payment of compensation and allowances to Federal civilian personnel or their dependents in the event an emergency evacuation is ordered for military or other reasons which create imminent danger to the life of the employee, his dependents or immediate family. Payment of the compensation and allowances will be at the rates authorized for the employee immediately prior to evacuation, except as additional payments may be authorized by the President to reimburse actual direct expenses incurred by the employee which are over and above the expenses the employee would have incurred had there been no evacuation.

The legislation also consolidates the several existing laws relating to the allotment and assignment of compensation for Federal civilian employees, with their differing conditions and limitations, into one uniform and coordinated standard legislative provision which will govern procedures for such allotment and assignment of pay in the cases of all Federal civilian employees in or under the departments and agencies covered by the bill.

I would like to make the record clear that this legislation is not intended to provide any benefits for foreign nationals who are employed by the Government of the United States to work in their own countries.

The overall cost will not be substantial since any payments under the new procedure are required to be adjusted later to amounts not exceeding the amounts the employee would have been entitled to under other applicable law, plus the

added amount which may be authorized by the President to compensate the employee for the direct expenses incurred due to emergency evacuation which would not have been incurred except for the evacuation. The executive branch was not able to furnish any specific cost estimates due to the absence of any information on which they could be based.

Mr. Speaker, this legislation will constitute standby authority to take timely action, in the national interest, in the event emergency evacuations are necessary due to sudden or unforeseen developments in the cold war. I believe it is necessary that this legislation be enacted so that the employees of all agencies can be assured of standard procedures being available for the payment of their compensation and allowances.

Mr. CORBETT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to join with Chairman Tom MURRAY in expressing my endorsement of H.R. 2555, a bill which was overwhelmingly approved by the House Post Office and Civil Service Committee to provide standby authority to take appropriate action for the payment of Federal employees or their dependents if emergency evacuations are necessary due to sudden or unforeseen developments in the cold war.

At the present time, there is no clear or positive legislative policy with respect to compensating and providing allowances for Federal civilian employees and their dependents who may be ordered evacuated from duty stations for military reasons or to safeguard them from imminent danger to their lives. H.R. 2555 which has been requested by the Defense Establishment through the Department of the Air Force is desirable legislation and would carry out the policy which we consider desirable of preparing for any contingency which may occur, particularly in foreign countries, during this period of international stress. We have no way of knowing at what time it might be necessary to utilize the provisions of this legislation, but in order to provide an efficient, orderly, and equitable procedure for the payment of compensation and allowances of the civilian employees in cases of emergency, it is desirable that this bill be approved.

May I emphasize the fact that this legislation is not intended to provide any benefits for foreign nationals who are employed by the Government of the United States to work in their own countries.

No specific cost estimates are available concerning this legislation because of absence of information on which such costs could be based and the cost will be largely determined by unforeseen conditions which may exist in the future when emergency evacuations of Federal employees are necessary. However, the overall cost will not be substantial since payments authorized under this bill are required to be adjusted at rates not exceeding amounts due the employees affected which would have been due them under normal conditions plus added direct expenses incurred due solely to the emergency evacuation.

Mr. Speaker, I believe it is only reasonable that the Congress should enact legislation to prepare for the contingency, which we hope will never occur, but for which we must be prepared.

Mr. MURRAY. Mr. Speaker, I have no more requests for time.

Mr. CORBETT. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, first of all I should like to comment on this use of suspension of the rules to consider legislation. I was under the impression, and it was so stated when the packing of the Rules Committee was voted, that we were going to get legislation in this session of Congress out of the Rules Committee under normal procedure. I do not think there has been a session since I have been a Member in which more resort has been made to suspension of the rules than in this Congress. I wonder what has happened to the revamping of the Rules Committee to provide a ready vehicle for the bringing of legislation to the floor of the House under procedures, whereby there would be the opportunity for ample debate and the offering of amendments, all of which is denied under suspension of the rules. Perhaps some of our leadership in the House can tell us why we are getting all these bills under suspension now. I would like to ask the gentleman, the chairman of the committee, a question or two concerning this bill. Why is it deemed necessary to take care of the District of Columbia employees to the exclusion of other municipal employees?

Mr. MURRAY. I will say to the gentleman, Mr. Speaker, that we had an official request that this amendment be included in this bill.

Mr. GROSS. It is just that simple—you had an official request. No reason; just a request. I want to ask the gentleman another question: Did the Department of State, which insisted on this bill, ever testify in behalf of it?

Mr. MURRAY. Mr. Speaker, I think the gentleman is in error, the State Department did not ask for this bill, the Department of Defense requested the legislation.

Mr. GROSS. Does the gentleman mean to say the State Department is not interested in this legislation?

Mr. MURRAY. I do not recall anybody from the State Department appearing on this legislation.

Mr. GROSS. You bet your life they did not appear on this legislation, and it is a strange thing because any number of these employees are in foreign countries and they will be benefited if this is a benefit, but I cannot understand why we should single out employees of the District of Columbia for these advance payments or allotments to their dependents in the event of an emergency. Why should municipal employees of the District of Columbia be singled out over and above municipal employees of Chicago, New York or any other city? Does anyone care to answer that—I

would be glad to have an answer from anyone.

Mr. HOFFMAN of Michigan. If the gentleman will yield—the gentleman wants an answer. They are here where they can put on the heat better.

Mr. GROSS. I see, simply because they put on the heat.

Mr. HOFFMAN of Michigan. Yes, and they also entertain some folks, do you not know—that heps.

Mr. GROSS. As I understand it, in the payment of these advance payments or allotments, they can be made directly to the dependents. Is that the story—are we changing the law so that allotments can be made directly to dependents—and over what period of time? Do I understand this can be done for 120 days plus the original 30 days? What is the time limit or the time factor; does anybody know?

Mr. MURRAY. I will say to the gentleman, the advance payments are only authorized for 30 days.

Mr. GROSS. They are what?

Mr. MURRAY. They are only authorized for 30 days.

Mr. GROSS. I still cannot understand the answer of the gentleman. It is 30 days? If so, what is the meaning of the 120-day provision in this bill?

Mr. MURRAY. The advance payment is for 30 days.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman from Iowa is on the committee. Now if this information you are seeking is classified, why do you ask for it here?

Mr. GROSS. I did not realize until today that it was classified information.

Mr. HOFFMAN of Michigan. You seem to be unable so far to get it and knowing the long hours you spend through the night in looking over these reports and knowing your attendance at committee meetings, I wonder why you have to ask for it here and why did you not get it in the committee?

Mr. GROSS. I tried to get the same information at that time, and I then commented on the fact that the State Department, one of the chief beneficiaries, if there is any benefit to be derived from it, was not present and, apparently, was not to be called before the committee. I asked this question and could not get an answer.

Mr. HOFFMAN of Michigan. If my colleague will wait just a moment, with all due respect, should you not be careful in these times of great danger about disclosing secret information—you are asking about the State Department. What business have you to ask about the State Department?

Mr. GROSS. I will have to agree with the gentleman. The State Department, as I have said many times, has its long nose in everything around here, especially trying to run the entire Government, and maybe we should never question anything they want or do or say. Maybe we ought to just roll over and play dead. The time, apparently, is

coming when all that Members of Congress will have to do is cash their pay checks.

I never could understand why, with the largest evacuation of American civilians in the history of this country in Korea in 1950, there was no clamor for this legislation. Approximately 11 years have gone by since Korea and now we suddenly have to rush this bill through under suspension of the rules. Why was this legislation not necessary during and after Korea? At no time in the history of this country were more Americans evacuated from a danger zone than in Korea, and yet 11 years have gone by before somebody suggested this legislation.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. The answer is easy, the New Frontier had not arrived.

Mr. GROSS. I guess that does it.

So here we are today asked to legalize advance payments to employees of the Federal Government or their dependents in the continental United States as well as abroad, without the slightest knowledge of costs and other pertinent information.

You can do this if you want to; I want no part of it without further and substantial proof that this sort of thing is necessary.

Mr. Speaker, I yield back the balance of my time.

Mr. JOHANSEN. Mr. Speaker, the bill under consideration, H.R. 2555, was the subject of extensive hearings before the House Post Office and Civil Service Committee and after the explanation of the need for this legislation, I am convinced it will serve a useful purpose by providing standby authority for the President and the heads of the departments and agencies of the executive branch which may be necessary to exercise in times of emergency.

The purpose of the bill is to provide permissive authority to executive departments and agencies to allow civilian employees at places outside the United States or at such other places as the President may designate, under specified emergency conditions, to make allotments from their pay for the support of their families or for other proper purposes, and to permit such employees up to 30 days' advance pay. The bill will also provide for the continuance of pay of such civilian employees if they are required to evacuate their overseas places of duty under the specified conditions.

During this period of international crisis, in my judgment, we should be prepared to take whatever action is necessary in the event of emergency conditions, particularly in foreign countries, so that our civilian employees and their dependents are adequately protected. This authority which is proposed to be granted the executive branch, the judicial branch, General Accounting Office, Library of Congress, and the government of the District of Columbia would be exercised only in times of emergency to provide for the establishment of orderly, efficient, and fair procedures

for the payment of compensation and allowances of Federal civilian employees.

Emergency evacuations have already occurred in certain instances. For example, in southeast Asia, where it has been demonstrated that the enactment of this legislation will be highly desirable.

I am satisfied that the cost of this legislation is not obtainable for the reason that we do not know where these emergency conditions will occur in the future and certainly we all trust they will not occur, but we must be prepared to maintain, particularly in foreign countries, a continuity of U.S. policies through the continued duties and activities of our civilian employees.

While I am prepared to support this legislation, with respect to Federal civilian employees, I wish to clarify the intent of our committee that it is not to be extended for the benefit of foreign nationals who are employed by our Government to work in their own countries.

Mr. Speaker, I join with my colleagues including our distinguished chairman in urging the approval of this bill.

Mr. CORBETT. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. BROYHILL].

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 8 minutes.

Mr. BROYHILL. Mr. Speaker, I rise in support of H.R. 2555.

First, it has been asked as to why this bill was brought up under a suspension of the rules rather than requesting a rule from the Rules Committee. It was hoped that this legislation would be noncontroversial. It is simple and clear legislation. We attempted to have it considered on the Consent Calendar but objection was raised or request was made that it be passed over without prejudice. That is the reason we are considering it under a suspension of the rules.

As has been explained, the purpose of this legislation is to provide clear and outstanding authority for the payment of compensation and allowances to Federal civilian employees who are required to evacuate an area for military reasons when there is a threat to their safety and security; and, also, as has been pointed out, it applies to all departments of the executive branch, the judicial branch, the General Accounting Office, the Library of Congress, as well as the District of Columbia. It applies to all Federal employees with the exception of employees of the legislative branch.

Some evacuations have been necessary in the past, and it is very likely that necessity for emergency evacuation will occur in the future, because we all know we are spread all over the world today; we have bases in practically every part of the world, with many civilian employees in those areas. For example, we had a group of employees in Vientiane back in 1960. They were required to evacuate that area and were moved over to Bangkok. Later when the situation eased there some of those employees were moved back to Laos; some remained in Bangkok to carry out various other assignments, and then some employees were reassigned.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Ohio.

Mr. BROWN. The only thing that worries me about the bill or gives me some concern, about the evacuation of employees overseas is employees of the Library of Congress.

How many representatives, members, or employees of the Library of Congress or the District of Columbia do we have overseas?

Mr. BROYHILL. The purpose of including the Library of Congress, as well as the District of Columbia and the General Accounting Office is in the event of an emergency situation occurring here.

Mr. BROWN. Of course they might have an emergency in my hometown and be evacuated. Does the gentleman think we ought to evacuate the civilian employees of the Federal Government in my hometown?

Mr. BROYHILL. Indeed, employees of the Federal Government, in the event of an emergency situation for military reasons or in case there is danger to their safety.

Mr. BROWN. Why should they not provide that any Federal employee shall be evacuated?

Mr. BROYHILL. It does.

Mr. BROWN. And the taxpayers who may not be on the Federal payroll.

Mr. BROYHILL. It does not provide for evacuation necessarily. It provides an advance payment of salaries, also a continuation of that salary for 60 days, while they are awaiting reassignment. It does not pay the expenses of evacuation but an advance in salaries. Reimbursement can be claimed later.

Now let me complete my statement. The purpose of this legislation is to clarify the authority which was exercised in this evacuation at Laos occurring last summer. In the event of an emergency evacuation, this legislation authorizes an advance payment of 30 days' salary, and only 30 days in advance at the same salaries the employees were receiving prior to the time of evacuation. Then it provides for 60-day salaries while that employee is awaiting reassignment. Without this authority, and in the case that occurred in Laos last year, if that occurred again, without this clear-cut authority, those employees would have to be disbanded and sent back home. Then, when the situation was eased, we would have to come back over here to the United States, rehire them, and go to the expense of shifting them over to Laos, as well as the expense of training new employees. This is in the best interest of the Government to have this clear-cut authority. As the chairman of the committee said, it does not provide for advance payment or payment for the 60-day period while awaiting reassignment in the case of foreign nationals. What this bill does is to clarify the situation as I have pointed it out. It gives the authority that is being exercised by some agencies of the Government, but it is a question whether they have the right to exercise that authority. This makes it clear, with no misunderstanding whatsoever. It provides for ad-

vance payment, a temporary payment, while employees are awaiting reassignment. It puts it all under one complete clear title.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from California.

Mr. YOUNGER. The gentleman says this should be allowed for evacuation of Federal employees wherever they exist. That is not provided, is it? We have more Federal employees in California than there are in the District of Columbia and San Francisco, Los Angeles and Vandenberg are as important and more likely to have an emergency than the District of Columbia.

Mr. BROYHILL. Let me reply to the gentleman by stating that in the event of an emergency evacuation in California for military reasons, or on account of any threat to the safety of the employees, this bill provides for 30 days' advance payment in order that they may be evacuated.

Mr. YOUNGER. Anywhere in the Nation?

Mr. BROYHILL. Anywhere in the Nation.

Mr. YOUNGER. Why did the gentleman say the District of Columbia, then?

Mr. BROYHILL. Because the employees of the District of Columbia are quasi-Federal employees. It has to be spelled out as a separate proposition.

I may point out that military personnel today in the event of an emergency evacuation, if orders are given, can receive advance payments. Their salaries can continue while they are awaiting reassignment elsewhere. So, we are not doing anything differently here for civilian employees than is already provided for the military service people.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. Well, now, why do you single out the municipal employees in the District of Columbia to the exclusion of the municipal employees anywhere else in the country?

Mr. BROYHILL. Because the District of Columbia is the Nation's Capital. I think the gentleman knows that.

Mr. GROSS. Of course I know that.

Mr. BOYHILL. And they are quasi-Federal employees that come under the jurisdiction of the Congress.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. You say the gentleman from Iowa knows it is the capital. He is in some doubt since the gentleman from Virginia came here.

Mr. BROYHILL. I agree with the gentleman, there is some doubt.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, what about our legislative employees? Why are they excluded?

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired. All time has expired.

The question is on the motion of the gentleman from Tennessee, Mr. MURRAY,

that the House suspend the rules and pass the bill H.R. 2555.

The question was taken; and the Speaker pro tempore announced that in his opinion two-thirds of the Members had voted in favor thereof.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 285, nays 86, not voting 66, as follows:

[Roll No. 113]

YEAS—285

Abbott	Dulski	Kitchin
Abernethy	Dwyer	Knox
Adair	Edmondson	Kornegay
Addabbo	Elliott	Kowalski
Addonizio	Everett	Kunkel
Albert	Evins	Landrum
Alexander	Fallon	Lane
Andrews	Farbstein	Lennon
Ashley	Fasceil	Lesinski
Ashmore	Fenton	Libonati
Aspinall	Finnegan	Lindsay
Avery	Fino	Loser
Ayres	Fisher	McCormack
Baldwin	Flood	McDowell
Baring	Flynt	McFall
Barrett	Fogarty	McMillan
Barry	Ford	McSweeney
Bass, Tenn.	Forrester	Mack
Bates	Fountain	Magnuson
Beckworth	Frazier	Mahon
Belcher	Frelinghuysen	Mailliard
Bennett, Fla.	Friedel	Marshall
Bennett, Mich.	Gallagher	Mathias
Blatnik	Garland	Matthews
Boland	Garmatz	May
Bolling	Gary	Meader
Boykin	Gathings	Merrrow
Brademas	Gavin	Miller, Clem
Breeding	Gilbert	Miller,
Brewster	Goodell	George P.
Brooks, La.	Grant	Milliken
Brooks, Tex.	Green, Oreg.	Mills
Broomfield	Green, Pa.	Monagan
Broyhill	Griffiths	Montoya
Burke, Ky.	Gubser	Moore
Burke, Mass.	Hagan, Ga.	Moorhead, Pa.
Burleson	Hagen, Calif.	Morgan
Byrne, Pa.	Halleck	Morris
Byrnes, Wis.	Hansen	Morse
Cahill	Harding	Mosher
Carey	Hardy	Moss
Casey	Harris	Murphy
Cederberg	Harrison, Va.	Murray
Celler	Harrison, Wyo.	Natcher
Chamberlain	Harvey, Mich.	Nix
Chelf	Hays	Norrell
Chenoweth	Hébert	Nygard
Chipperfield	Henderson	O'Brien, Ill.
Church	Hollifield	O'Hara, Ill.
Clark	Holland	O'Hara, Mich.
Coad	Holtzman	Olsen
Colmer	Horan	Osmer
Conte	Hosmer	Passman
Cooley	Huddleston	Patman
Corbett	Ichord, Mo.	Pelly
Corman	Ikard, Tex.	Perkins
Cunningham	Inouye	Peterson
Curtin	Jarman	Pfost
Curtis, Mass.	Joelsen	Pike
Daddario	Johnson	Pilcher
Dague	Johnson, Calif.	Poage
Daniels	Johnson, Md.	Poff
Davis	Johnson, Wis.	Powell
James C.	Jones, Ala.	Price
Davis, John W.	Jones, Mo.	Pucinski
Davis, Tenn.	Judd	Quie
Dent	Karsten	Rabaut
Denton	Karth	Rains
Derounian	Kastenmeier	Randall
Diggs	Keith	Reifel
Dominick	Kelly	Reuss
Dooley	Kilday	Rhodes, Pa.
Dorn	Kilgore	Riley
Dowdy	King, Calif.	Rivers, Alaska
Downing	King, Utah	Robison
Doyle	Kirwan	Rodino

Rogers, Colo.
Rogers, Tex.
Roosevelt
Roush
Rutherford
Ryan
Saund
Schenck
Schweiker
Schwengel
Scott
Scranton
Seely-Brown
Selden
Sheppard
Shipley
Sikes
Siler
Sisk
Slack

Smith, Iowa
Smith, Miss.
Smith, Va.
Spence
Stafford
Stephens
Stratton
Stubblefield
Sullivan
Teague, Calif.
Thompson, N.J.
Thompson, Tex.
Thompson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Udall

Ullman
Van Pelt
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weaver
Whalley
Wharton
Whitten
Wickersham
Wilson, Calif.
Wilson, Ind.
Wright
Yates
Young
Zablocki
Zelenko

NAYS—86

Andersen, Minn.	Haley	Moorehead, Ohio
Anderson, Ill.	Harsha	Nelsen
Arends	Harvey, Ind.	O'Konski
Ashbrook	Hechler	Ostertag
Auchincloss	Hemphill	Pillion
Baker	Herlong	Pirnie
Battin	Hiestand	Ray
Becker	Hoeven	Reece
Beermann	Hoffman, Ill.	Rhodes, Ariz.
Bell	Hoffman, Mich.	Riehlman
Berry	Hull	Rogers, Fla.
Bolton	Jensen	Rousselot
Bonner	Jonas	St. George
Bray	King, N.Y.	Saylor
Bromwell	Kyl	Schadeberg
Brown	Laird	Scherer
Bruce	Langen	Schneebeli
Clancy	Latta	Short
Collier	Lipscomb	Shriver
Curtis, Mo.	McCulloch	Smith, Calif.
Devine	McDonough	Taber
Dingell	McIntire	Taylor
Dole	McVey	Utt
Durno	MacGregor	Vanik
Ellsworth	Martin, Mass.	Westland
Findley	Martin, Nebr.	Whitener
Fulton	Mason	Younger
Goodling	Michel	
Gross	Minshall	
	Moeller	

NOT VOTING—66

Alford	Gray	Philbin
Alger	Griffin	Rivers, S.C.
Anfuso	Hall	Roberts
Bailey	Halpern	Rooney
Bass, N.H.	Healey	Rostenkowski
Betts	Jennings	Roudebush
Blitch	Kearns	St. Germain
Boggs	Kee	Santangelo
Bow	Keogh	Shelley
Buckley	Kilburn	Sibal
Cannon	Kluczynski	Springer
Cohelan	Lankford	Stagers
Cook	Macdonald	Steed
Cramer	Macrowicz	Teague, Tex.
Dawson	Madden	Thomas
Delaney	Miller, N.Y.	Thompson, La.
Derwinski	Morrison	Wels
Donohue	Moulder	Widnall
Feighan	Multer	Williams
Gialmo	Norblad	Willis
Glenn	O'Brien, N.Y.	Winstead
Granahan	O'Neill	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Morrison and Mr. Cohelan for, with Mr. Bow against.

Mr. Feighan and Mr. St. Germain for, with Mr. Betts against.

Mr. Gialmo and Mr. O'Neill for, with Mr. Kilburn against.

Mr. Boggs and Mr. Multer for, with Mr. Alger against.

Until further notice:

Mr. Buckley with Mr. Bass of New Hampshire.

Mr. Keogh with Mr. Cramer.

Mr. Delaney with Mr. Widnall.

Mr. Rooney with Mrs. Wels.

Mr. Santangelo with Mr. Kearns.

Mr. Anfuso with Mr. Halpern.

Mr. Machrowicz with Mr. Derwinski.
 Mr. Healey with Mr. Glenn.
 Mr. Rostenkowski with Mr. Miller of New York.
 Mr. O'Brien of New York with Mr. Roubin.
 Mr. Jennings with Mr. Springer.
 Mr. Willis with Mr. Hall.
 Mr. Williams with Mr. Sibal.
 Mr. Winstead with Mr. Griffin.
 Mr. Steed with Mr. Norblad.

Mr. CONTE changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title of the bill was amended to read: "A bill to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes."

A motion to reconsider was laid on the table.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Mr. Speaker, are we to assume that other bills listed for consideration under the suspension of rules of the House this afternoon will not be called up?

The SPEAKER pro tempore. The Chair understands those bills will not be called up.

WHY DIDN'T THE AMERICAN BANKERS AND AUTO DEALERS TESTIFY?

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PATMAN. Mr. Speaker, many people have not been convinced that big corporations can influence the passage or defeat of legislation or influence people to act against their own interest or the public interest. Here is example A.

This case in point is in H.R. 71, introduced by the gentleman from New York [Mr. CELLER], to prohibit manufacturers of motor vehicles from engaging in financing and insuring installment sales of motor vehicles.

It is a bill to restrain monopolistic practices in the manufacture and sale of automobiles and permit survival of locally owned banks and other local financial institutions. A House Judiciary Subcommittee, headed by the gentleman from New York, has completed hearings on the bill, and I hope it soon will be brought to the floor for consideration.

WORST KIND OF MONOPOLY

It is the worst kind of monopoly, Mr. Speaker, when a huge firm like General Motors, which makes many millions of dollars every year from selling automobiles, also is permitted to multiply these millions of dollars of profit by financing their sales through a nationwide branch-banking system innocently called General Motors Acceptance Corp. This is greed at its worst. The same thing can be said about the Ford Motor Co.

During the subcommittee hearings, I testified for the bill because the present

practice is murderous to small independent financial institutions. And the longer it is permitted to continue, the worse it will be for our bankers and our small communities whose prosperity depends on healthy local business firms.

BANKERS SILENT AS DEATH

I will not go into that further at this time, but I had to give you this background to get to what is bothering me. Mr. Speaker, the thing that stood out most eloquently at those hearings was the dead silence from the American Bankers Association. Why did not the American Bankers Association testify in favor of the bill? This is a bill that would help their business and would be in the public interest. Mr. Speaker, banks are chartered and operated to make a profit, but that charter provides that they also must serve the public. The ABA is made up of big and little banks all over the country. This bill will help the little banks, particularly.

For what strange and unexplained reason did the banks not testify? Does a big corporation wield such powerful influence over our economy? Have the bankers abdicated to the tentacles of GMC's national money-lending system?

Could one huge corporation possibly cause unknown difficulties to another national business group if favorable testimony were given on a bill that would help the latter group as well as the country? Or, perhaps the bankers were just too tired to testify? No; I do not think so. But it would be interesting to know the reason.

NOTHING FROM DEALERS EITHER

Another group interests me, Mr. Speaker. Where was the testimony from the National Automobile Dealers Association? Here, again, was deathly cold silence. The automobile dealers I know are leading citizens in their communities, and I guess this is general everywhere. It seems incredible that this big organization would not appear before the committee. Since it directly affects the business of every dealer in the country, one would think NADA representatives would have been among the first on the firing line to testify one way or the other. They surely have to be for or against something that directly affects their daily lives. This is a situation where the automobile manufacturer often makes more from the financing and insuring than the dealer does from the sale of an automobile. Could they be influenced? Are the dealers afraid of losing their franchises? What is so attractive about refraining from testifying on legislation with which one is directly concerned? Why were the leaders silent as a tomb?

The automobile makers claim their moneylending operation is a benevolent gesture to help auto buyers purchase cars on time at modest interest rates. Now, if General Motors, Ford, and Chrysler are so public-spirited, if they are so benevolent, so full of the milk of human kindness, why do they not make loans at low interest rates to their dealers with a firm requirement that the dealer, in turn, keep the interest rate down in making installment sales. Then the

dealer could handle the financing, and the profit he made on the sale and the financing would be kept in the local community and plowed back into the community's economy. If they want to help the dealers, this is the way to do it. Are the manufacturers so selfish they cannot be satisfied with the profit made on the sale of the product they make?

Mr. Speaker, I have asked these questions because I do not know the answers. I wish, sir, I did.

The Celler bill should be passed in the public interest to prevent a nationwide branch banking system.

FEDERAL LEADERSHIP AND DIRECTION FOR CIVIL DEFENSE

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLIFIELD. Mr. Speaker, on May 25 the President addressed a joint session of Congress concerning urgent national needs. His words conveyed the serious conditions which confront our Nation and which threatened its peace and security. A whole section of the President's message was devoted to civil defense.

By his personal attention to this subject, the President has shown himself willing to face up to one of the most difficult and disagreeable problems of our times. The President has said in effect that the Nation should stop fooling itself about civil defense. It is a kind of national insurance which we must have, which we can afford, and which should no longer be postponed or merely talked about. The time of national danger is now and not in some remote future.

The civil defense program will cost money. The President suggested that even the beginnings of a new civil defense program will more than triple the pending budget request for civil defense. This means \$300 million or more for a new start toward an effective civil defense program.

In this era of the cold war, we spend \$40 billion a year or more for bombers, missiles, and other war machines. Civil defense costs, even at the stepped-up rate required, would be a very small part of the defense budget.

Mr. Speaker, the question of money should be the least of our worries when the very existence of our beloved country and the whole free world is at stake. Of course, as legislators who control the national policy, we want a full return for every dollar of defense investment. We want a civil defense program that will protect the people rather than one that simply provides jobs for political hacks and produces mountains of literature which nobody reads.

The President and his advisers now are giving serious and careful thought to the future shape of our civil defense program. We learn from his message of May 25 that the Office of Civil and Defense Mobilization will be reconstituted as an Office of Emergency Planning. This means that the large, helter-skelter

87TH CONGRESS
1ST SESSION

H. R. 2555

IN THE SENATE OF THE UNITED STATES

JULY 20, 1961

Read twice and referred to the Committee on Post Office and Civil Service

AN ACT

To authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That, for the purposes of this Act, the term—

4 (1) “department” means—

5 (A) each executive department of the Government
6 of the United States of America;

7 (B) each agency or independent establishment in
8 the executive branch of such Government;

9 (C) each corporation wholly owned or controlled
10 by such Government;

1 (D) the judicial branch of such Government;

2 (E) the General Accounting office;

3 (F) the Library of Congress; and

4 (G) the municipal government of the District of
5 Columbia.

6 (2) "head of each department" or "department head"
7 means—

8 (A) the Director of the Administrative Office of
9 the United States Courts with respect to the judicial
10 branch of the Government; and

11 (B) the Board of Commissioners of the District of
12 Columbia with respect to the municipal government of
13 the District of Columbia.

14 (3) "United States", when used in a geographical sense,
15 means the several States of the United States of America
16 and the District of Columbia.

17 SEC. 2. (a) The head of each department is authorized
18 to provide for the payment, in advance, of compensation,
19 allowances, and differentials, or any of them, covering a pe-
20 riod of not more than thirty days, to or for the account of
21 each employee of such department (or, under emergency cir-
22 cumstances and on a reimbursable basis, an employee of any
23 other department) whose evacuation (or that of his depend-

1 ents or immediate family, as applicable) from a place within
2 or outside the United States is ordered for military or other
3 reasons which create imminent danger to the life or lives
4 of such employee or of such dependents or immediate family.

5 (b) Subject to adjustment of the account of such em-
6 ployee in accordance with section 4 of this Act and other
7 applicable law, such advance payment of compensation, al-
8 lowances, and differentials shall be at rates then currently
9 authorized with respect to such employee, on the date such
10 advance payment is made, under procedures of such depart-
11 ment governing advance payments under this subsection; but
12 such rates so authorized shall not exceed the rates to which
13 such employee was entitled immediately prior to the issuance
14 of such order of evacuation.

15 (c) An advance of funds under subsection (a) of this
16 section shall be recoverable by the Government of the United
17 States or the municipal government of the District of Colum-
18 bia, as the case may be, from such employee or his estate—

19 (1) by setoff against accrued compensation, amount
20 of retirement credit, or other amount due such employee
21 from the Government of the United States or the municipi-
22 pal government of the District of Columbia, and

23 (2) by such other method as may be provided by
24 law.

25 (d) The head of the department concerned is authorized

1 to waive in whole or in part any right of recovery of an
2 advance of funds under subsection (a) of this section, if it
3 is shown that such recovery would be against equity and good
4 conscience or against the public interest.

5 SEC. 3. (a) The head of each department is au-
6 thorized—

7 (1) to provide for the payment of monetary
8 amounts, covering a period of not more than sixty days
9 (except that the President may extend such period with
10 respect to the executive branch for not more than one
11 hundred and twenty additional days if he determines
12 that the extension of such period is in the interest of
13 the United States), to or for the account of each em-
14 ployee of such department (or, under emergency cir-
15 cumstances and on a reimbursable basis, an employee
16 of any other department) —

17 (A) whose evacuation from a place within or
18 outside the United States is ordered for military
19 or other reasons which create imminent danger to
20 the life of the employee, and

21 (B) who is prevented, by circumstances beyond
22 his control and beyond the control of the Govern-
23 ment of the United States or the municipal govern-
24 ment of the District of Columbia, or both, as applica-
25 ble, from performing the duties of the position which

1 he held immediately prior to the issuance of such
2 order of evacuation; and

3 (2) to provide for the termination of payment of
4 such amounts.

5 (b) Subject to adjustment of the account of such employee
6 in accordance with section 4 of this Act and other applicable
7 law, each payment under this section shall be at rates of
8 compensation, allowances, and differentials, or any of them,
9 then currently authorized with respect to such employee, on
10 the date such payment is made, under procedures of such
11 department governing payments under this section. Such
12 rates so authorized shall not exceed the rates to which such
13 employee was entitled immediately prior to the issuance of
14 the order of evacuation, except that any such employee in
15 the executive branch may be granted such additional allow-
16 ance payments as the President determines necessary to off-
17 set the direct added expenses incident to the evacuation.

18 (c) Each period for which payment of amounts may be
19 made under this section to or for the account of an employee
20 shall be held and considered, for all purposes with respect
21 to such employee, as a period of active service (without
22 break in service) rendered by such employee in the em-
23 ployment of the Government of the United States or the
24 municipal government of the District of Columbia.

1 SEC. 4. The head of each department—

2 (1) shall provide for the review of the account of
3 each employee of such department in receipt of payments
4 in accordance with section 2 or 3, or both, as the case
5 may be, of this Act, and

6 (2) shall provide for the adjustment of the amounts
7 of such payments on the basis of (A) the rates of com-
8 pensation, allowances, and differentials to which such
9 employee would have been entitled, under applicable law
10 other than this Act, for the respective periods covered
11 by such payments, if he had rendered active service, in
12 accordance with the terms of his appointment, during
13 each such period in the position which he held immedi-
14 ately prior to the issuance of the applicable order of
15 evacuation and (B) such additional amounts as such
16 employee may be authorized to receive in accordance
17 with a determination of the President under section 3 (b)
18 of this Act.

19 SEC. 5. The head of each department is authorized to
20 establish procedures under which each employee of such
21 department is permitted to make allotments and assignments
22 of amounts out of his compensation for such purpose as such
23 department head deems appropriate.

24 SEC. 6. (a) To the extent practicable in the public in-
25 terest, the President shall coordinate the policies and pro-

1 cedures of the respective departments in the executive branch
2 under this Act.

3 (b) The President, with respect to the executive branch,
4 and the head of the department concerned, with respect to the
5 appropriate department outside the executive branch, shall
6 prescribe and issue, or provide for the formulation and
7 issuance of, such regulations as are necessary and appropri-
8 ate to carry out the provisions, accomplish the purposes, and
9 govern the administration, of this Act. Such regulations
10 shall be issued on or before the ninetieth day following the
11 date of enactment of this Act and shall become effective on
12 the ninetieth day following the date of issuance.

13 (c) The head of each department in the executive branch
14 is authorized to prescribe and issue such regulations (not
15 inconsistent with the regulations of the President issued under
16 subsection (b) of this section) as are necessary and appro-
17 priate to carry out the functions of such department head
18 under this Act.

19 SEC. 7. Notwithstanding any provision of this Act or
20 the repeal or amendment thereby of any provision of law,
21 and until such time as regulations prescribed by or under
22 authority of the President are issued under section 6 (b) of
23 this Act and become effective, allotments and assignments of
24 pay of employees in the executive branch may be made in
25 accordance with such provisions of law so amended or re-

1 repealed and the regulations issued thereunder; and such reg-
2 ulations may be amended or revoked in accordance with
3 such provisions of law.

4 SEC. 8. Funds available to each department for pay-
5 ment of compensation, allowances, and differentials to or for
6 the accounts of civilian officers and employees of such de-
7 partment also shall be available for payment of compensa-
8 tion, allowances, and differentials to or for the accounts of
9 employees of any other department in accordance with this
10 Act and on a reimbursable basis.

11 SEC. 9. (a) The following provisions of law are hereby
12 repealed:

13 (1) The Joint Resolution entitled "Joint Resolution
14 authorizing assignment of pay of teachers and other em-
15 ployees of the Bureau of Education in Alaska", ap-
16 proved March 21, 1906 (34 Stat. 824; 48 U.S.C.
17 171) ;

18 (2) The paragraph in the first section of the Act of
19 June 30, 1906, under the heading "Under the Depart-
20 ment of the Interior", under the subheading "United
21 States Geological Survey", and under the caption
22 "Scientific Assistants of the Geological Survey" (34
23 Stat. 727; 43 U.S.C. 35), which reads as follows:

24 "The Secretary of the Interior is hereby authorized to

1 permit scientific and other employees of the United States
2 Geological Survey, employed in the field, to make assign-
3 ments of their pay, under such regulations as he may pre-
4 scribe, during such time as they may be in the employ of
5 the United States Geological Survey. And the Secretary
6 of the Interior is further authorized, in his discretion, under
7 such regulations as he may prescribe, to reimburse the scien-
8 tific and other employees for expenses incurred by them in
9 the discharge of their duties in the field and paid from their
10 personal funds.”;

11 (3) That part of the first section of the Act of May
12 27, 1908, under the heading “Under the Department of
13 the Interior”, under the subheading “United States Geo-
14 logical Survey”, and under the caption “For General Ex-
15 penses of the Geological Survey” (35 Stat. 350; 43
16 U.S.C. 382), which reads as follows:

17 “The Secretary of the Interior is hereby authorized to
18 permit the employees of the Reclamation Service, while em-
19 ployed in the field, to make assignments of their pay under
20 such regulations as he may prescribe.”;

21 (4) The second paragraph under the center head-
22 ing “MISCELLANEOUS” and under the side heading
23 “Paper Tests” in the Act entitled “An Act making ap-
24 propriations for the Department of Agriculture for the

1 fiscal year ending June thirtieth, nineteen hundred and
2 ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C.
3 529), which reads as follows:

4 "And hereafter the Secretary of Agriculture is author-
5 ized to permit employees of the Department of Agriculture
6 to make assignments of their pay, under such regulations as
7 he may prescribe, during such time as they may be in the
8 employ of the said department.";

9 (5) The proviso contained in the second paragraph
10 under the center heading "DEPARTMENT OF
11 COMMERCE AND LABOR" and under the side
12 heading "Office of the Secretary" in the Act entitled "An
13 Act making appropriations for the legislative, executive,
14 and judicial expenses of the Government for the fiscal
15 year ending June thirtieth, nineteen hundred and eleven,
16 and for other purposes", approved June 17, 1910 (36
17 Stat. 524; 5 U.S.C. 595), which reads as follows:
18 "*Provided*, That the Secretary of Commerce and Labor
19 is hereby authorized, under such regulations as he may
20 prescribe, to permit officers and employees of the sev-
21 eral bureaus and divisions of the Department of Com-
22 merce and Labor to assign their salaries while absent
23 from Washington, District of Columbia, and employed in
24 the field"; and

25 (6) The Act entitled "An Act authorizing allot-

ment of pay by civilian personnel stationed abroad”, approved May 14, 1937 (50 Stat. 166; 5 U.S.C. 75c).

(b) That part of the first section of the Act of March 4, 1907, under the heading “Under the Department of Commerce and Labor” and under the subheading “Coast and Geodetic Survey”, as amended by the first section of the Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862), relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey, is amended to read as follows:

“Commissioned officers of the United States Coast and Geodetic Survey are authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.”.

(c) Section 3689 (d) of title 10 of the United States Code is amended—

(1) by inserting the word “or” immediately following the semicolon at the end of clause (1) ;

(2) by striking out the word “or” immediately following the semicolon at the end of clause (2) ; and

(3) by striking out clause (3) which reads:

“(3) permanent civilian employee of the Department of the Army on duty outside the United States;”.

1 (d) Section 8689 (d) of title 10 of the United States
2 Code is amended—

3 (1) by inserting the word “or” immediately follow-
4 ing the semicolon at the end of clause (1) ;

5 (2) by striking out the word “or” immediately fol-
6 lowing the semicolon at the end of clause (2) ; and

7 (3) by striking out clause (3) which reads:

8 “(3) permanent civilian employee of the Depart-
9 ment of the Air Force on duty outside the United
10 States;”.

Passed the House of Representatives July 17, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

JULY 20, 1961

Read twice and referred to the Committee on Post
Office and Civil Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

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For highlights see page 6.

SENATE

1. **PERSONNEL.** The Post Office and Civil Service Committee voted to report (but did not actually report) S. 1683, with amendment, to remove the present requirement, contained in the Pay Act of 1960, that ASG employees with past service purchase credit for such services within a two-year period from July 10, 1960; H. R. 6141, to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the Federal Government; H. R. 7043, to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions; and H. R. 2555, to authorize pay with respect to civilian employees of the U. S. in cases of emergency evacuations, and to consolidate the laws governing allotments and assignment of pay by such employees. p. D785

The "Daily Digest" states that the "Committee put over for considerations at a later date S. 1732, providing for the establishment and rate of pay of supergrade, scientific, and other Federal positions." p. D785

2. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. 230, to modify provisions relating to the construction of the Garrison Diversion Unit, Missouri River Basin project (S. Rept. 833). p. 16337
3. STATE-JUSTICE APPROPRIATION BILL, 1962. Passed with amendments this bill, H. R. 7371 (pp. 16348-61, 16364-413). Conferees were appointed (p. 16413). Agreed to an amendment by Sen. Mansfield (for himself and Sen. Dirksen), by a vote of 70 to 19, to extend the Civil Rights Commission for an additional two years (pp. 16348-61, 16364-400).
4. TRANSPORTATION. The Commerce Committee reported an original bill, S. 2491, to permit the application of the bulk commodity exemption when other commodities are concurrently transported in the same vessel (S. Rept. 838). p. 16337
5. ADMINISTRATIVE ORDERS. The Judiciary Committee reported without amendment H. R. 5656, to provide for reasonable notice of applications to the U. S. courts of appeals for interlocutory relief against the orders of certain administrative agencies (S. Rept. 835). p. 16337
6. RIVER BASINS. Sen. Jackson announced that hearings will be held by the Interior and Insular Affairs Committee Tues., Sept. 5, on H. J. Res. 225, to grant the consent to Congress to the Delaware River Basin Compact. p. 16340
7. DEPRESSED AREAS. Sen. Tower criticized the designation of certain areas as "depressed areas." and inserted an East Texas Chamber of Commerce resolution critical of the designation of 41 east Texas counties as "depressed areas." p. 16341
8. CONSUMERS. Sen. Keating inserted an editorial supporting enactment of legislation to establish an Office of Consumer Counsel in the White House. p. 16342
9. FORESTRY; RECREATION. Sen. Moss inserted an article, "Tourists' New Frontier," discussing the creation of recreational facilities on public lands in the West. pp. 16343-5
10. WILDERNESS AREAS. Sen. Proxmire inserted letters he received from the Independent Petroleum Assoc. of America opposing S. 174, to provide for the establishment of a wilderness preservation system. pp. 16345-6
11. WATERSHEDS. The Public Works Committee approved the following watershed projects: Big Sandy Creek, Colo., South River, Ga., Middle Fork of Anderson River, Ind., Middle-South Branch Forest River, N. Dak., Sallisaw Creek, Okla., Beaver Creek, Oreg., and Twin Parks Creek, Wis. p. 16348
12. SMALL BUSINESS. Passed without amendment H. R. 8922, to increase by \$20 million the amount available for regular business loans by the Small Business Administration. This bill will now be sent to the President. pp. 16361-3
13. FOREIGN AFFAIRS. Sen. Humphrey inserted an address by Assistant Secretary of Commerce for International Affairs, Rowland Burnstan, discussing problems involved in the economic development of Latin America. pp. 16415-20
14. LEGISLATIVE PROGRAM. Sen Mansfield expressed hope that Senate action would be completed this week on the saline water bill, the foreign aid authorization bill and migratory labor bills. He stated that next week the wilderness bill will be considered on Tues., the Department of Urban Affairs and Housing bill on Wed.,

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HIGHLIGHTS: Senate debated Mexican farm labor bill. Senate committee reported 30-year retirement bill. Sens. Javits and Keating opposed enactment of national milk sanitation standards bill.

SENATE

1. FARM LABOR. Began debate on H. R. 2010, to extend and amend the Mexican farm labor program (pp. 17593, 17603-28, 17639-42, 17644). (See Digest 129 for a summary of the provisions of the bill as reported.) Agreed to an amendment by Sen. Jordan to provide that workers recruited under the program shall not be subject to any Federal or State tax levied to provide illness or disability benefits for them (p. 17608). Sen. Keating submitted an amendment he intends to propose to the bill, to provide that before Mexican workers can be employed, efforts must be made to attract domestic workers by offering them conditions of employment comparable to those offered Mexicans (pp. 17626-7). Pending at adjournment was an amendment by Sen. McCarthy to provide that no Mexican worker recruited under the program shall be made available to any employer or permitted to remain in the employ of any employer unless the employer offers and pays such worker wages at least equivalent to 90 percent of the average farm wage in the State in which the area of employment is located, or 90 percent of the national farm wage average, whichever is lesser (pp. 17605-28, 17638-42). Agreed to a unanimous-consent request by Sen. Mansfield that on Mon., Sept. 11, debate on the McCarthy and Keating amendments shall be limited to 20 minutes (p. 17607).

2. ~~PERSONNEL. The Post Office and Civil Service Committee reported with amendment S. 188, to permit civil service employees to retire after 30 years' service (S. Rept. 909). p. 17499~~

~~The Post Office and Civil Service Committee reported without amendment H. R. 2555, to authorize pay with respect to civilian employees of the U. S. in cases of emergency evacuations, and to consolidate the laws governing allotments and assignment of pay by such employees (S. Rept. 910). p. 17499~~

~~Received from the Civil Service Commission a proposed bill "to provide for the payment of compensation and restoration of employment benefits to certain Federal officers and employees improperly deprived thereof"; to Post Office and Civil Service Committee. p. 17499~~

3. ~~PUBLIC LANDS. The Agriculture and Forestry Committee reported the following bills: p. 17499~~

~~H. R. 3879, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. (S. Rept. 906).~~

~~H. R. 3920, without amendment, to authorize the exchange of a parcel of land at the Agricultural Research Center (S. Rept. 907).~~

~~H. R. 4682, without amendment, to authorize the Secretary of Agriculture to sell and convey certain tracts of forest land in Iowa to the State (S. Rept. 905).~~

~~H. R. 6193, without amendment, to authorize the Secretary of Agriculture to convey a tract of forest land in Wyoming to Fremont County (S. Rept. 904).~~

4. ~~WATER RESOURCES. The Public Works Committee voted to report (but did not actually report) with amendment S. 856, to grant the consent of Congress to the Delaware River Basin compact. p. D829~~

~~Received a Regional Chamber of Commerce Council, Middletown, N. Y., resolution favoring the compact. p. 17499~~

5. ~~DISARMAMENT AGENCY. Passed, 73 to 14, ^{with amendments} S. 2180, to provide for the establishment of a United States Disarmament Agency for World Peace and Security. pp. 17517-68, 17572-9, 17585, 17589-93, 17642-4~~

6. ~~MILK STANDARDS. Sens. Javits and Keating ^{opposed} enactment of legislation to provide for the establishment of national milk sanitation standards for the interstate shipment of milk and inserted several items on the matter. pp. 17579-84~~

7. ~~EDUCATION. The "Daily Digest" states that the Labor and Public Welfare Committee "ordered favorably reported with amendments S. 1241, authorizing Federal financial assistance for institutions of higher education (the principal amendment would adopt as a new title IV to the bill the text of S. 1140, to provide a program of financial assistance to the States for the construction of public community colleges)." p. D829~~

~~At the request of Sen. Mansfield, H. R. 9000, to extend for two additional years the provisions of Public Laws 815 and 874, 81st Congress (regarding aid for schools in federally impacted areas), and the National Defense Education Act of 1958, was taken off the calendar and referred to the Committee on Labor and Public Welfare. p. 17502~~

~~Began consideration of S. 2393, to extend for one year the authority for Federal assistance for the construction and operation of schools in federally impacted areas. pp. 17644-5~~

ALLOTMENT AND ADVANCEMENT OF PAY IN
EMERGENCY EVACUATIONS

SEPTEMBER 8, 1961.—Ordered to be printed

Mr. YARBOROUGH, from the Committee on Post Office and Civil Service, submitted the following

REPORT

[To accompany H.R. 2555]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 2555) to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The main objective of this measure is to authorize the establishment of an orderly and reasonable procedure for the payment of compensation and allowances of civilian employees when official orders have been issued for their emergency evacuation from their official duty stations. To this end, the legislation consolidates several existing laws and provides one standard provision applicable to all employees of the Government.

STATEMENT

Small numbers of our employees in various parts of the world have been subject to emergency evacuation in the past and doubtlessly similar situations will arise in the future. These instances have pointed up the fact that no uniform policy or procedure exists with respect to the payment of salary and allowances to employees forced to leave their duty stations for safety or political reasons. This legislation is designed to provide necessary authority to develop appropriate policy and procedures for future use in the event emergency evacuations again are necessary in any part of the world where the United States has employees assigned to duty.

The bill requires that the President, with respect to the executive branch, shall promulgate regulations to carry out the objectives of the legislation.

COST

Enactment of this measure will not result in additional costs since all payments authorized by its terms are subject to adjustment later. Administrative costs will not be significant as the regulations relating to the measure will become a part of each agency's operating manual.

SECTIONAL ANALYSIS

Section 1.—This section provides definitions of terms used in the bill.

Section 2.—This section relates to advanced payments of compensation, allowances, and differentials to employees or appropriate dependents in the event of emergency evacuations. Such advanced payments may be made for a period not to exceed 30 days and may be made either directly to the employee or on his behalf. Provision is made for appropriate adjustment of the account at a later date.

Section 3.—This section provides for the payment of salary and allowances for an additional period not to exceed 60 days unless further extended for an additional period by Presidential order. Here again provision is made for an appropriate adjustment in the employee's account at a later date.

Section 4.—This section provides for the review and appropriate adjustment of the accounts of employees to whom payments are made under the provisions of either sections 2 or 3 of the bill or both.

Section 5.—This section authorizes the heads of departments to issue appropriate regulations to carry out the provisions of this legislation.

Section 6.—This section authorizes and directs the President to establish appropriate policies and regulations for administration of this legislation.

Section 7.—This section provides for appropriate transitional procedures until regulations have been issued in accordance with provisions of the measure.

Section 8.—This section provides that funds available to each department for the payment of compensation, allowances, and differentials are to be available for the purposes of this measure.

Section 9.—This section repeals or modifies provisions of existing law as necessary by the enactment of this measure.

AGENCY VIEWS

Following is a letter from the Department of Defense requesting this legislation which was introduced in the Senate on January 31, 1961, as S. 740.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE SECRETARY,
Washington, January 3, 1961.

HON. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation to provide for allotment and advancement of pay with respect

to civilian employes of the United States in cases of emergency evacuations from certain areas, and for other purposes.

This proposal is a part of the Department of Defense legislative program for 1961 and the Bureau of the Budget has advised by letter dated December 23, 1960, that it has no objection to its submission to the Congress. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to provide permissive authority to the heads of Government departments, agencies, and establishments to allow civilians employed on duty at places outside the United States, or at such other places as the President may designate, to, under specified emergency conditions, make allotments from their pay for the support of their families or for other purposes that are considered proper, and to draw up to 30 days' advance pay. It would also provide for the continuance of pay of such civilian employes if they are required to evacuate their oversea places of duty under the specified conditions.

It is considered a necessity that a program be developed to insure that these particular civilian employees of the Government and their families will not be placed in extreme financial difficulties if, for emergency reasons, they should be required to evacuate the area in which they are assigned for duty. Under the authority to be established by enactment of this proposal, it will be possible for department and agency heads to implement programs for these employees which will provide substantially for the following: (1) supplying each such civilian officer or employee with a mobile, pocket-size pay data card which will authorize him to receive pay from any U.S. disbursing officer at locations other than his place of employment if he is required to evacuate that place of employment under specified emergency conditions; (2) permitting each such officer or employee to designate adult members of his family, or other adult persons acting in his behalf, to receive, under certain circumstances, payment of a portion of his pay in the event they are required to evacuate under the same emergency conditions; and (3) supplying each such designated person with an emergency payment record card which that person may use to draw an allotment in an amount specified thereon from any U.S. disbursing officer in the event he becomes separated from his sponsor during the evacuation or in the event he is required to evacuate without his sponsor. This program contemplates that the necessary pay data card will contain emergency standby evacuation travel orders as an integral part of the card. The officer or employee and his designee would thus have, at all times, in their possession authorizations which would automatically become effective if an evacuation from the place of duty were ordered.

In addition, this proposal would establish authority for evacuated civilian officers and employes to draw advances of pay not to exceed 30 days. It is recognized that because of the relatively slight degree of control over the continued employment of civilian officers and employes, authority to draw advance pay under normal conditions has not ordinarily been granted. However, under emergency conditions such authority may well constitute the only means by which a Gov-

ernment civilian officer or employee could supply his family immediately with funds to defray their essential expenses during an evacuation.

It is contemplated that implementing directives will establish controls over the length of time payments may be continued. For example, assignment to a new duty station, abandonment of position, transfer to the retirement rolls, death, or a finding that the employee is within the purview of the Missing Persons Act, would be cause for immediate stoppage of the payments authorized by section 3(a)(2) of the proposal. It is expected that normally within a 6-month period the employee would be returned to his assigned station or reassigned, at which time normal pay procedures and allotments would be re-established.

It should be noted that while this proposal is sponsored by the Department of Defense, it is so written as to be applicable to and may well be of value to other agencies of the Government. In short, enactment of this proposal coupled with implementation by all agencies concerned of a program such as described above would provide, for areas outside the United States or for such other places as the President may designate, a complete emergency payment system comprised of standby evacuation orders and emergency payment cards for civilian officers and employees of the Government and their allottees.

COST AND BUDGET DATA

It is not possible to estimate the additional costs which may result from the enactment of the proposed legislation. It is conceivable that unforeseen conditions during an actual evacuation may result in additional costs to the Government. The administrative costs involved in implementing the emergency evacuation payment plan, which would be made possible through the enactment of the proposed legislation, are insignificant and will be absorbed in applicable appropriations.

Sincerely yours,

DUDLEY C. SHARP.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

JOINT RESOLUTION OF MARCH 21, 1906

(34 Stat. 824; 48 U.S.C. 171)

[JOINT RESOLUTION Authorizing assignment of pay of teachers and other employees of the Bureau of Education in Alaska

[Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to permit teachers and other employees of the United States Bureau of Education employed in Alaska to make assignments of their pay, under such regulations as

he may prescribe, during such time as they may be in the employ of the Bureau of Education in Alaska; and the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse school-teachers in Alaska for expenses incurred by them in the discharge of their duties and paid from their personal funds.

[Approved, March 21, 1906.]

The paragraph in the first section of the Act of June 30, 1906, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "Scientific Assistants of the Geological Survey" (34 Stat. 727; 43 U.S.C. 35)

[The Secretary of the Interior is hereby authorized to permit scientific and other employees of the United States Geological Survey, employed in the field, to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the United States Geological Survey. And the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse the scientific and other employees for expenses incurred by them in the discharge of their duties in the field and paid from their personal funds.]

That part of the first section of the Act of May 27, 1908, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "For General Expenses of the Geological Survey" (35 Stat. 350; 43 U.S.C. 382)

[The Secretary of the Interior is hereby authorized to permit the employees of the Reclamation Service, while employed in the field, to make assignments of their pay under such regulations as he may prescribe.]

The second paragraph under the center heading "MISCELLANEOUS" and under the side heading "Paper Tests" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529)

[And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.]

The proviso contained in the second paragraph under the center heading "DEPARTMENT OF COMMERCE AND LABOR" and under the side heading "Office of the Secretary" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved June 17, 1910 (36 Stat. 524; 5 U.S.C. 595)

[*Provided*, That the Secretary of Commerce and Labor is hereby authorized, under such regulations as he may prescribe, to permit officers and employees of the several bureaus and divisions of the Department of Commerce and Labor to assign their salaries while absent from Washington, District of Columbia, and employed in the field]

ACT OF MAY 14, 1937 (50 Stat. 166; 5 U.S.C. 75c)

[AN ACT

[Authorizing allotment of pay by civilian personnel stationed abroad.

[Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heads of the executive departments and establishments of the United States, under such regulations as they may prescribe, be, and are hereby, authorized to permit civilian officers and employees, during such time as they may be assigned for duty outside the continental limits of the United States, to make allotments, in whole or in part, from their pay, for the support of their families or relatives, for their own savings, or for other similar purposes.

[Approved, May 14, 1937.]

That part of the first section of the Act of March 4 1907 under the heading "Under the Department of Commerce and Labor" and under the subheading "Coast and Geodetic Survey" as amended by the first section of the Act of June 21 1955 (69 Stat. 169; 33 U.S.C. 862) relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey.

Commissioned officers [, ships officers, members of crews of vessels, and field employees] of the United States Coast and Geodetic Survey and authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.

SECTION 3689 OF TITLE 10 OF THE UNITED STATES CODE

3689. Assignments and allotments of pay

* * * * * *

(d) The Secretary may allow any—

(1) member of the Army; *or*

(2) contract surgeon; **[or]**

[(3) permanent civilian employee of the Department of the Army on duty outside the United States;]

to make allotments from his pay for the support of any of his relatives, or for any other purpose that the Secretary considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Chief of Finance from the officer who failed to make the report.

SECTION 8689 OF TITLE 10 OF THE UNITED STATES CODE

§ 8689. Assignments and allotments of pay

* * * * * *

(d) The Secretary may allow any—

(1) member of the Air Force; *or*

(2) contract surgeon; **[or]**

[(3) permanent civilian employee of the Department of the Air Force on duty outside the United States;]

to make allotments from his pay for the support of any of his relatives or for any other purpose that the Secretary considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Secretary from the officer who failed to make the report.



Calendar No. 893

87TH CONGRESS
1ST SESSION

H. R. 2555

[Report No. 910]

IN THE SENATE OF THE UNITED STATES

JULY 20, 1961

Read twice and referred to the Committee on Post Office and Civil Service

SEPTEMBER 8, 1961

Reported by Mr. YARBOROUGH, without amendment

AN ACT

To authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That, for the purposes of this Act, the term—

4 (1) “department” means—

5 (A) each executive department of the Government
6 of the United States of America;

7 (B) each agency or independent establishment in
8 the executive branch of such Government;

9 (C) each corporation wholly owned or controlled
10 by such Government;

1 (D) the judicial branch of such Government;

2 (E) the General Accounting office;

3 (F) the Library of Congress; and

4 (G) the municipal government of the District of
5 Columbia.

6 (2) "head of each department" or "department head"
7 means—

8 (A) the Director of the Administrative Office of
9 the United States Courts with respect to the judicial
10 branch of the Government; and

11 (B) the Board of Commissioners of the District of
12 Columbia with respect to the municipal government of
13 the District of Columbia.

14 (3) "United States", when used in a geographical sense,
15 means the several States of the United States of America
16 and the District of Columbia.

17 SEC. 2. (a) The head of each department is authorized
18 to provide for the payment, in advance, of compensation,
19 allowances, and differentials, or any of them, covering a pe-
20 riod of not more than thirty days, to or for the account of
21 each employee of such department (or, under emergency cir-
22 cumstances and on a reimbursable basis, an employee of any
23 other department) whose evacuation (or that of his depend-

1 ents or immediate family, as applicable) from a place within
2 or outside the United States is ordered for military or other
3 reasons which create imminent danger to the life or lives
4 of such employee or of such dependents or immediate family.

5 (b) Subject to adjustment of the account of such em-
6 ployee in accordance with section 4 of this Act and other
7 applicable law, such advance payment of compensation, al-
8 lowances, and differentials shall be at rates then currently
9 authorized with respect to such employee, on the date such
10 advance payment is made, under procedures of such depart-
11 ment governing advance payments under this subsection; but
12 such rates so authorized shall not exceed the rates to which
13 such employee was entitled immediately prior to the issuance
14 of such order of evacuation.

15 (c) An advance of funds under subsection (a) of this
16 section shall be recoverable by the Government of the United
17 States or the municipal government of the District of Colum-
18 bia, as the case may be, from such employee or his estate—

19 (1) by setoff against accrued compensation, amount
20 of retirement credit, or other amount due such employee
21 from the Government of the United States or the municipi-
22 pal government of the District of Columbia, and

23 (2) by such other method as may be provided by
24 law.

25 (d) The head of the department concerned is authorized

1 to waive in whole or in part any right of recovery of an
2 advance of funds under subsection (a) of this section, if it
3 is shown that such recovery would be against equity and good
4 conscience or against the public interest.

5 SEC. 3. (a) The head of each department is au-
6 thorized—

7 (1) to provide for the payment of monetary
8 amounts, covering a period of not more than sixty days
9 (except that the President may extend such period with
10 respect to the executive branch for not more than one
11 hundred and twenty additional days if he determines
12 that the extension of such period is in the interest of
13 the United States), to or for the account of each em-
14 ployee of such department (or, under emergency cir-
15 cumstances and on a reimbursable basis, an employee
16 of any other department) —

17 (A) whose evacuation from a place within or
18 outside the United States is ordered for military
19 or other reasons which create imminent danger to
20 the life of the employee, and

21 (B) who is prevented, by circumstances beyond
22 his control and beyond the control of the Govern-
23 ment of the United States or the municipal govern-
24 ment of the District of Columbia, or both, as applica-
25 ble, from performing the duties of the position which

1 he held immediately prior to the issuance of such
2 order of evacuation; and

3 (2) to provide for the termination of payment of
4 such amounts.

5 (b) Subject to adjustment of the account of such employee
6 in accordance with section 4 of this Act and other applicable
7 law, each payment under this section shall be at rates of
8 compensation, allowances, and differentials, or any of them,
9 then currently authorized with respect to such employee, on
10 the date such payment is made, under procedures of such
11 department governing payments under this section. Such
12 rates so authorized shall not exceed the rates to which such
13 employee was entitled immediately prior to the issuance of
14 the order of evacuation, except that any such employee in
15 the executive branch may be granted such additional allow-
16 ance payments as the President determines necessary to off-
17 set the direct added expenses incident to the evacuation.

18 (c) Each period for which payment of amounts may be
19 made under this section to or for the account of an employee
20 shall be held and considered, for all purposes with respect
21 to such employee, as a period of active service (without
22 break in service) rendered by such employee in the em-
23 ployment of the Government of the United States or the
24 municipal government of the District of Columbia.

1 SEC. 4. The head of each department—

2 (1) shall provide for the review of the account of
3 each employee of such department in receipt of payments
4 in accordance with section 2 or 3, or both, as the case
5 may be, of this Act, and

6 (2) shall provide for the adjustment of the amounts
7 of such payments on the basis of (A) the rates of com-
8 pensation, allowances, and differentials to which such
9 employee would have been entitled, under applicable law
10 other than this Act, for the respective periods covered
11 by such payments, if he had rendered active service, in
12 accordance with the terms of his appointment, during
13 each such period in the position which he held immedi-
14 ately prior to the issuance of the applicable order of
15 evacuation and (B) such additional amounts as such
16 employee may be authorized to receive in accordance
17 with a determination of the President under section 3 (b)
18 of this Act.

19 SEC. 5. The head of each department is authorized to
20 establish procedures under which each employee of such
21 department is permitted to make allotments and assignments
22 of amounts out of his compensation for such purpose as such
23 department head deems appropriate.

24 SEC. 6. (a) To the extent practicable in the public in-
25 terest, the President shall coordinate the policies and pro-

1 cedures of the respective departments in the executive branch
2 under this Act.

3 (b) The President, with respect to the executive branch,
4 and the head of the department concerned, with respect to the
5 appropriate department outside the executive branch, shall
6 prescribe and issue, or provide for the formulation and
7 issuance of, such regulations as are necessary and appropri-
8 ate to carry out the provisions, accomplish the purposes, and
9 govern the administration, of this Act. Such regulations
10 shall be issued on or before the ninetieth day following the
11 date of enactment of this Act and shall become effective on
12 the ninetieth day following the date of issuance.

13 (c) The head of each department in the executive branch
14 is authorized to prescribe and issue such regulations (not
15 inconsistent with the regulations of the President issued under
16 subsection (b) of this section) as are necessary and appro-
17 priate to carry out the functions of such department head
18 under this Act.

19 SEC. 7. Notwithstanding any provision of this Act or
20 the repeal or amendment thereby of any provision of law,
21 and until such time as regulations prescribed by or under
22 authority of the President are issued under section 6 (b) of
23 this Act and become effective, allotments and assignments of
24 pay of employees in the executive branch may be made in
25 accordance with such provisions of law so amended or re-

1 repealed and the regulations issued thereunder; and such reg-
2 ulations may be amended or revoked in accordance with
3 such provisions of law.

4 SEC. 8. Funds available to each department for pay-
5 ment of compensation, allowances, and differentials to or for
6 the accounts of civilian officers and employees of such de-
7 partment also shall be available for payment of compensa-
8 tion, allowances, and differentials to or for the accounts of
9 employees of any other department in accordance with this
10 Act and on a reimbursable basis.

11 SEC. 9. (a) The following provisions of law are hereby
12 repealed:

13 (1) The Joint Resolution entitled "Joint Resolution
14 authorizing assignment of pay of teachers and other em-
15 ployees of the Bureau of Education in Alaska", ap-
16 proved March 21, 1906 (34 Stat. 824; 48 U.S.C.
17 171) ;

18 (2) The paragraph in the first section of the Act of
19 June 30, 1906, under the heading "Under the Depart-
20 ment of the Interior", under the subheading "United
21 States Geological Survey", and under the caption
22 "Scientific Assistants of the Geological Survey" (34
23 Stat. 727; 43 U.S.C. 35), which reads as follows:

24 "The Secretary of the Interior is hereby authorized to

1 permit scientific and other employees of the United States
2 Geological Survey, employed in the field, to make assign-
3 ments of their pay, under such regulations as he may pre-
4 scribe, during such time as they may be in the employ of
5 the United States Geological Survey. And the Secretary
6 of the Interior is further authorized, in his discretion, under
7 such regulations as he may prescribe, to reimburse the scien-
8 tific and other employees for expenses incurred by them in
9 the discharge of their duties in the field and paid from their
10 personal funds.”;

11 (3) That part of the first section of the Act of May
12 27, 1908, under the heading “Under the Department of
13 the Interior”, under the subheading “United States Geo-
14 logical Survey”, and under the caption “For General Ex-
15 penses of the Geological Survey” (35 Stat. 350; 43
16 U.S.C. 382), which reads as follows:

17 “The Secretary of the Interior is hereby authorized to
18 permit the employees of the Reclamation Service, while em-
19 ployed in the field, to make assignments of their pay under
20 such regulations as he may prescribe.”;

21 (4) The second paragraph under the center head-
22 ing “MISCELLANEOUS” and under the side heading
23 “Paper Tests” in the Act entitled “An Act making ap-
24 propriations for the Department of Agriculture for the

1 fiscal year ending June thirtieth, nineteen hundred and
2 ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C.
3 529), which reads as follows:

4 "And hereafter the Secretary of Agriculture is author-
5 ized to permit employees of the Department of Agriculture
6 to make assignments of their pay, under such regulations as
7 he may prescribe, during such time as they may be in the
8 employ of the said department.";

9 (5) The proviso contained in the second paragraph
10 under the center heading "DEPARTMENT OF
11 COMMERCE AND LABOR" and under the side
12 heading "Office of the Secretary" in the Act entitled "An
13 Act making appropriations for the legislative, executive,
14 and judicial expenses of the Government for the fiscal
15 year ending June thirtieth, nineteen hundred and eleven,
16 and for other purposes", approved June 17, 1910 (36
17 Stat. 524; 5 U.S.C. 595), which reads as follows:
18 "*Provided*, That the Secretary of Commerce and Labor
19 is hereby authorized, under such regulations as he may
20 prescribe, to permit officers and employees of the sev-
21 eral bureaus and divisions of the Department of Com-
22 merce and Labor to assign their salaries while absent
23 from Washington, District of Columbia, and employed in
24 the field"; and

25 (6) The Act entitled "An Act authorizing allot-

1 ment of pay by civilian personnel stationed abroad”,
2 approved May 14, 1937 (50 Stat. 166; 5 U.S.C.
3 75c).

4 (b) That part of the first section of the Act of March 4,
5 1907, under the heading “Under the Department of Com-
6 merce and Labor” and under the subheading “Coast and
7 Geodetic Survey”, as amended by the first section of the
8 Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862),
9 relating to assignments and allotments of pay of personnel
10 of the United States Coast and Geodetic Survey, is amended
11 to read as follows:

12 “Commissioned officers of the United States Coast and
13 Geodetic Survey are authorized to make assignments or
14 allotments of their pay under such regulations as the Secre-
15 tary of Commerce may prescribe.”.

16 (c) Section 3689 (d) of title 10 of the United States
17 Code is amended—

18 (1) by inserting the word “or” immediately fol-
19 lowing the semicolon at the end of clause (1) ;

20 (2) by striking out the word “or” immediately fol-
21 lowing the semicolon at the end of clause (2) ; and

22 (3) by striking out clause (3) which reads:

23 “(3) permanent civilian employee of the Depart-
24 ment of the Army on duty outside the United States;”.

1 (d) Section 8689 (d) of title 10 of the United States
2 Code is amended—

3 (1) by inserting the word “or” immediately follow-
4 ing the semicolon at the end of clause (1) ;

5 (2) by striking out the word “or” immediately fol-
6 lowing the semicolon at the end of clause (2) ; and

7 (3) by striking out clause (3) which reads:

8 “(3) permanent civilian employee of the Depart-
9 ment of the Air Force on duty outside the United
10 States;”.

Passed the House of Representatives July 17, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
1ST SESSION

H. R. 2555

[Report No. 910]

AN ACT

To authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

JULY 20, 1961

Read twice and referred to the Committee on Post
Office and Civil Service

SEPTEMBER 8, 1961

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited),

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HIGHLIGHTS: House passed supplemental appropriation bill. Senate passed foreign aid appropriation bill. House received conference report on Mexican farm labor bill. Rep. Landrum urged aid for poultry industry. Sen. Bennett criticized food distribution program. Senate passed Delaware River Basin compact bill. Sen. Talmadge introduced and discussed poultry bill. House agreed to conference report on Mexican farm labor bill. House concurred in Senate amendments to Delaware River Basin compact bill.

SENATE - SEPT. 15

1. FOREIGN AID APPROPRIATION BILL, 1962. By a vote of 62 to 17, passed with amendments this bill, H. R. 9033 (pp. 18404-5, 18418-36, 18440, 18455-62). Conferees were appointed (p. 18461). Agreed to an amendment by Sen. Keating providing that in administering funds for the foreign aid program "great attention and consideration should be given to those nations which share the view of the United States on the world crisis (pp. 18419-22). Agreed to an amendment by Sen. Saltonstall providing that none of these funds (except for contributions to international organizations) shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource projects in foreign countries which is not based upon a computation of benefits and costs made in accordance with procedures of the Budget Bureau applicable to comparable U. S. projects (p. 18422). As passed the bill provides \$1,200 million for development loans, \$334 million for development grants, and \$40 million for the Peace Corps.

2. PEACE CORPS. Passed with amendment H. R. 7500, the Peace Corps bill, after substituting the language of similar bill, S. 2000. Conferees were appointed.
p. 18477
3. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments S. 2008, relating to the construction and operation of the Spokane Valley reclamation project (S. Rept. 1042). p. 18400
Passed as reported S. 1060, to authorize the construction of the Oroville-Tonasket unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Wash. pp. 18409-10
4. PUBLIC LANDS. Passed without amendment H. R. 6193, to authorize the Secretary of Agriculture to convey a tract of forest land in Wyoming to Fremont County. This bill will now be sent to the President. p. 18405
Passed without amendment H. R. 3920, to authorize the exchange of a parcel of land at the Agricultural Research Center. This bill will now be sent to the President. p. 18405
Passed without amendment H. R. 2280, to provide for the withdrawal of certain public lands 40 miles east of Fairbanks, Alaska, for use by the Department of the Army as a Nike range. This bill will now be sent to the President. p. 18407
Passed without amendment H. R. 2281, to reserve for use by the Department of the Army at Fort Richardson, Alaska, certain public lands in the Campbell Creek area. This bill will now be sent to the President. p. 18407
Passed over, at the request of Sen. Mansfield, H. R. 4682, to authorize the Secretary of Agriculture to sell and convey certain tracts of forest land in Iowa to the State. p. 18405
5. PERSONNEL. Passed without amendment H. R. 2555, to authorize pay to civilian employees of the U. S. in cases of emergency evacuations in overseas areas and to consolidate the law governing allotment and assignment of pay for such employees. This bill will now be sent to the President. pp. 18405-6
~~Passed over, at the request of Sen. Mansfield, S. 188, the 30-year retirement bill. p. 18405~~
6. WATER RESOURCES. Passed with amendments H. J. Res. 225, to grant the consent of Congress to the Delaware River Basin compact, after substituting the language of a similar bill, S. 856, as passed earlier. Further consideration of S. 856 was indefinitely postponed. pp. 18483-99
7. ATOMIC ENERGY. Receded from the Senate amendment to H. R. 7576, to authorize appropriations for the Atomic Energy Commission. This bill will now be sent to the President. p. 18471
8. EDUCATIONAL EXCHANGES. Agreed to the conference report on H. R. 8666, to provide for continuation of the educational and cultural exchange program. pp. 18503-4
9. VIRGIN ISLANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 4750, to amend the Virgin Islands Corporation Act so as to increase the borrowing authority of the Corporation (S. Rept. 1065). p. 18522
10. PERSONNEL. As reported (see Digest 159), S. 1732, to increase the limitation on the number of supergrade and high-level scientific positions, includes provisions as follows:

Most of this decrease under the budget estimate was made during the process of authorizing this program for the fiscal year 1962.

The largest single increase in the bill effected by the committee is for development loans, where the committee has restored \$175 million of the reduction made by the House, and has recommended the full \$1.2 billion the President has said was necessary for this program.

The committee also has restored \$125 million to the contingency fund and has recommended the amount of the authorization of \$300 million. This is still \$200 million under the amount which the administration requested and which was reduced by the authorizing bill.

For military assistance, the committee has recommended an appropriation of \$1.7 billion, \$100 million in excess of the House bill amount.

For the first time since it was organized in 1934, a limitation was placed in the bill in the House on the operating expenses of the Export-Import Bank. The committee felt, in view of the Bank's record of prudent management, that no limitation on its operating expenses was necessary at this time, and the limitation in question has been deleted.

The committee has recommended the full amount of \$40 million for the Peace Corps.

With reference to language in the bill, the House of Representatives inserted a provision relating to disclosure of documents. The House provision did not grant the administration a waiver from the penalties of the provision should the President certify the information should not be disclosed. Such a waiver has been in the law in the past, and the committee has restored it to the House bill.

The committee report enumerates in detail all the increases recommended by the committee.

Mr. President, I move that the committee amendments to the bill be agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I wish to call up my amendment, designated "9-13-61-B."

In printing the Foreign Assistance Act of 1961, which was signed September 4, 1961, the short title of the act was omitted. This was a clerical mistake. The amendment which I have just called up will rectify this error. It will insert in the appropriation bill the short title language which was inadvertently omitted from the authorization act.

The VICE PRESIDENT. The amendment offered by the Senator from Arizona will be stated.

The CHIEF CLERK. It is proposed on page 11, after line 9, to insert the following:

SEC. 603. Public Law 87-195, approved September 4, 1961, is amended by inserting the following after the enacting clause: "That this Act may be cited as 'The Foreign Assistance Act of 1961'."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 887.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The clerk will state the first measure.

CONVEYANCE OF CERTAIN LANDS IN THE STATE OF WYOMING

The bill (H.R. 6193) to authorize the Secretary of Agriculture to convey certain lands in the State of Wyoming to the county of Fremont, Wyo., was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 904—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

H.R. 6193 would reconvey to Fremont County, Wyo., a lot (lot 5, block 14) located in Lander, Fremont County, Wyo., which on November 18, 1935, was donated to the United States but was never accepted by the Government. The county and its assignee have remained in possession of the land.

The unconsummated donation serves to cloud the county's title to the tract. An individual who bought this lot from the county several years ago is now unable to sell it to a prospective purchaser because of this defect in its title. Reconveyance to the county is necessary in order to clear the title.

The Department of Agriculture favors enactment of H.R. 6193.

BILL PASSED OVER

The bill (H.R. 4682) to authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (H.R. 3879) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo., was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

EXCHANGE OF LAND AT THE AGRICULTURAL RESEARCH CENTER

The bill (H.R. 3920) to authorize an exchange of land at the Agricultural Research Center was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 907—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would authorize the Secretary of Agriculture to convey by quitclaim deed to Fred C. Knauer a parcel of land containing about 1.66 acres in exchange for a tract of land containing 0.6345 acres. The bill provides that the appraised value of the Federal property to be transferred shall not exceed the value of the property to be acquired.

The Department of Agriculture favors the bill.

BILLS PASSED OVER

Mr. MANSFIELD. Mr. President, I ask that Calendar No. 891 and Calendar No. 892 be passed over.

The VICE PRESIDENT. The bills will be passed over.

The bills passed over are as follows:

S. 2520. A bill to amend the Welfare and Pension Plans and Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

S. 188. A bill to grant civil service employees retirement after 30 years service.

PAY OF EMPLOYEES IN CASE OF EMERGENCY EVACUATION

The bill (H.R. 2555) to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations to consolidate the law governing allotment and assignment of pay by such employees, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 910—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The main objective of this measure is to authorize the establishment of an orderly and reasonable procedure for the payment of compensation and allowances of civilian employees when official orders have been issued for their emergency evacuation from their official duty stations. To this end, the

legislation consolidates several existing laws and provides one standard provision applicable to all employees of the Government.

STATEMENT

Small numbers of our employees in various parts of the world have been subject to emergency evacuation in the past and doubtlessly similar situations will arise in the future. These instances have pointed up the fact that no uniform policy or procedure exists with respect to the payment of salary and allowances to employees forced to leave their duty stations for safety or political reasons. This legislation is designed to provide necessary authority to develop appropriate policy and procedures for future use in the event emergency evacuations again are necessary in any part of the world where the United States has employees assigned to duty.

The bill requires that the President, with respect to the executive branch, shall promulgate regulations to carry out the objectives of the legislation.

COST

Enactment of this measure will not result in additional costs since all payments authorized by its terms are subject to adjustment later. Administrative costs will not be significant as the regulations relating to the measure will become a part of each agency's operating manual.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 310) for the relief of Annie Tymochek Porayko, was announced as next in order.

Mr. MANSFIELD. Mr. President, I ask that Calendars Nos. 894 through 942 be passed over and that the call of the calendar continue in sequence beginning with Calendar No. 943.

The VICE PRESIDENT. The bills will be passed over.

The measures passed over are as follows:

S. 310. A bill for the relief of Annie Tymochek Porayko.

S. 899. A bill for the relief of Liu Shul Chen.

S. 1793. A bill for the relief of Mrs. Alfa Alessandro Milana.

S. 1947. A bill for the relief of Annemarie Herrmann.

S. 2291. A bill for the relief of Paul James Branan.

H.R. 1325. An act for the relief of Mrs. Seto Yiu Kwel.

H.R. 1369. An act for the relief of Zsuzsanna Relsz.

H.R. 1394. An act for the relief of Laszlo Hamorl.

H.R. 1399. An act for the relief of Mrs. Josefa Pidlaon and daughter, Annabelle Pidlaon.

H.R. 1422. An act for the relief of Mrs. Agavni Yazicloglu.

H.R. 1459. An act for the relief of En2c. Hideo Chuman, U.S. Navy.

H.R. 1496. An act for the relief of Aloysius van de Velde.

H.R. 1532. An act for the relief of Jeanine Ruth Tabacnik.

H.R. 1550. An act for the relief of Jesus Garza Lopez.

H.R. 1551. An act for the relief of Klini-Ok Yun.

H.R. 1569. An act for the relief of Isel Sakioka.

H.R. 1581. An act for the relief of Marla Falato Colacicco.

H.R. 1583. An act for the relief of Mrs. Chang-Huang Tang Kao.

H.R. 1614. An act for the relief of Byron T. Efthimiadis.

H.R. 1630. An act for the relief of Carmo Pereira de Bustillos.

H.R. 1646. An act for the relief of Josephine Smith.

H.R. 1714. An act for the relief of Nicholas J. Katsaros.

H.R. 1898. An act for the relief of Isabel Brown.

H.R. 1901. An act for the relief of Georgia J. Makrls.

H.R. 2136. An act for the relief of Hajime Misaka.

H.R. 2145. An act for the relief of Joginder Singh Toor.

H.R. 2655. An act for the relief of Mrs. Pamela Gough Walker.

H.R. 2822. An act for the relief of Gregoire A. Kublin.

H.R. 3133. An act for the relief of Mrs. Maria A. Schmoldt.

H.R. 3393. An act for the relief of Istvan Zsoldos.

H.R. 3404. An act for the relief of Elemer Christian Sarkozy.

H.R. 3718. An act for the relief of Matthias Nock, Jr.

H.R. 4221. An act for the relief of Sylvia Abrams Abramowitz.

H.R. 4384. An act for the relief of Richard Fordham.

H.R. 4499. An act for the relief of Mrs. Margaret Ruda Daniel.

H.R. 4553. An act for the relief of Zbigniew Ryba.

H.R. 5136. An act for the relief of Compton Jones and Hulbert Jones.

H.R. 5138. An act for the relief of Francisco Joaquim Alves.

H.R. 5141. An act for the relief of Vito Recchia.

H.R. 5735. An act for the relief of Steven Mark Hallinan.

H.R. 6158. An act for the relief of Adolphe C. Verheyen.

S. 1560. A bill for the relief of Yasuko Otsu.

S. 2012. A bill for the relief of Mrs. Moy York Che.

S. 2163. A bill for the relief of Saifook Chan.

H.J. Res. 453. Joint resolution relating to deportation of certain aliens.

S. 1076. An act for the relief of Nancy E. Williamson.

S. 1439. A bill for the relief of Sylvia Freda Karro and her minor children, Allan, Karro, Jennifer Karro, and Michelle Karro.

S. 1685. A bill for the relief of Brigitte Marie Kron.

S. 2337. A bill for the relief of Athanisia G. Koumoutsou.

PRINTING OF COPIES OF "CANNON'S PROCEDURE IN THE HOUSE OF REPRESENTATIVES"

The joint resolution (H.J. Res. 558) providing for printing copies of "Cannon's Procedure in the House of Representatives," was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 960—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This joint resolution would authorize the printing and binding for the use of the House of Representatives of 1,500 copies of "Cannon's Procedure in the House of Representatives," by the Honorable CLARENCE CANNON, to be printed under the supervision of the author and to be distributed to the Members of the House by the Speaker. Section 2 of the joint resolution reserves the right of copyright to the author.

Printing cost estimate, \$9,213.

PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 412, 85TH CONGRESS

The concurrent resolution (H. Con. Res. 12) authorizing the printing of additional copies of House Document No. 412, 85th Congress, was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 961—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This concurrent resolution would authorize the printing for the use of the House of Representatives of 500,000 copies of a revised edition of "The Capitol—A Pictorial Story of the Capitol in General and the House of Representatives in Particular" (H. Doc. 412, 85th Cong., 2d sess.).

Printing cost estimate, \$90,500.

PRINTING AS HOUSE DOCUMENT PUBLICATION "WORLD COMMUNIST MOVEMENT—SELECTIVE CHRONOLOGY 1818-1957, VOLUME 1"

The concurrent resolution (H. Con. Res. 364) to print as a House document the publication "World Communist Movement—Selective Chronology 1818-1957, Volume 1," and to provide for the printing of additional copies, was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 962—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This concurrent resolution would provide that the publication entitled "World Communist Movement—Selective Chronology 1818-1957, Volume 1," released by the House Committee on Un-American Activities during the 86th Congress, 2d session, be printed as a House document; and that there be printed for the use of said committee 15,000 additional copies of said document.

Printing cost estimate, \$4,229.28.

PRINTING OF ADDITIONAL COPIES OF REPORT "COMMUNIST TARGET: YOUTH—COMMUNIST INFILTRATION AND AGITATION TACTICS"

The concurrent resolution (H. Con. Res. 384) authorizing the printing of additional copies of the report "Communist Target—Youth—Communist Infiltration and Agitation Tactics" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 963—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred the concurrent



Public Law 87-304
87th Congress, H. R. 2555
September 26, 1961

An Act

75 STAT. 662.

To authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of this Act, the term—

Civilian employees of U.S.

(1) “department” means—

(A) each executive department of the Government of the United States of America;

Emergency evacuation.

(B) each agency or independent establishment in the executive branch of such Government;

Pay authorized.

(C) each corporation wholly owned or controlled by such Government;

(D) the judicial branch of such Government;

(E) the General Accounting Office;

(F) the Library of Congress; and

(G) the municipal government of the District of Columbia.

(2) “head of each department” or “department head” means—

(A) the Director of the Administrative Office of the United States Courts with respect to the judicial branch of the Government; and

(B) the Board of Commissioners of the District of Columbia with respect to the municipal government of the District of Columbia.

(3) “United States”, when used in a geographic sense, means the several States of the United States of America and the District of Columbia.

SEC. 2. (a) The head of each department is authorized to provide for the payment, in advance, of compensation, allowances, and differentials, or any of them, covering a period of not more than thirty days, to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department) whose evacuation (or that of his dependents or immediate family, as applicable) from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life or lives of such employee or of such dependents or immediate family.

Advance payment.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, such advance payment of compensation, allowances, and differentials shall be at rates then currently authorized with respect to such employee, on the date such advance payment is made, under procedures of such department governing advance payments under this subsection; but such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of such order of evacuation.

Authorized rates.

(c) An advance of funds under subsection (a) of this section shall be recoverable by the Government of the United States or the municipal government of the District of Columbia, as the case may be, from such employee or his estate—

Amounts recoverable.

(1) by setoff against accrued compensation, amount of retirement credit, or other amount due such employee from the Government of the United States or the municipal government of the District of Columbia, and

(2) by such other method as may be provided by law.

Waiver.

(d) The head of the department concerned is authorized to waive in whole or in part any right of recovery of an advance of funds under subsection (a) of this section, if it is shown that such recovery would be against equity and good conscience or against the public interest.

Duration of payment.

SEC. 3. (a) The head of each department is authorized—

(1) to provide for the payment of monetary amounts, covering a period of not more than sixty days (except that the President may extend such period with respect to the executive branch for not more than one hundred and twenty additional days if he determines that the extension of such period is in the interest of the United States), to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department)—

(A) whose evacuation from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life of the employee, and

(B) who is prevented, by circumstances beyond his control and beyond the control of the Government of the United States or the municipal government of the District of Columbia, or both, as applicable, from performing the duties of the position which he held immediately prior to the issuance of such order of evacuation; and

(2) to provide for the termination of payment of such amounts.

Authorized rates.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, each payment under this section shall be at rates of compensation, allowances, and differentials, or any of them, then currently authorized with respect to such employee, on the date such payment is made, under procedures of such department governing payments under this section. Such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of the order of evacuation, except that any such employee in the executive branch may be granted such additional allowance payments as the President determines necessary to offset the direct added expenses incident to the evacuation.

Active service period.

(c) Each period for which payment of amounts may be made under this section to or for the account of an employee shall be held and considered, for all purposes with respect to such employee, as a period of active service (without break in service) rendered by such employee in the employment of the Government of the United States or the municipal government of the District of Columbia.

Review of accounts.

SEC. 4. The head of each department—

(1) shall provide for the review of the account of each employee of such department in receipt of payments in accordance with section 2 or 3, or both, as the case may be, of this Act, and

(2) shall provide for the adjustment of the amounts of such payments on the basis of (A) the rates of compensation, allowances, and differentials to which such employee would have been entitled, under applicable law other than this Act, for the respective periods covered by such payments, if he had rendered active service, in accordance with the terms of his appointment, during each such period in the position which he held immediately prior to the issuance of the applicable order of evacuation and (B) such additional amounts as such employee may be authorized to receive in accordance with a determination of the President under section 3(b) of this Act.

Assignments of amounts.

SEC. 5. The head of each department is authorized to establish procedures under which each employee of such department is permitted

to make allotments and assignments of amounts out of his compensation for such purpose as such department head deems appropriate.

SEC. 6. (a) To the extent practicable in the public interest, the President shall coordinate the policies and procedures of the respective departments in the executive branch under this Act.

Coordination of
procedures.

(b) The President, with respect to the executive branch, and the head of the department concerned, with respect to the appropriate department outside the executive branch, shall prescribe and issue, or provide for the formulation and issuance of, such regulations as are necessary and appropriate to carry out the provisions, accomplish the purposes, and govern the administration, of this Act. Such regulations shall be issued on or before the ninetieth day following the date of enactment of this Act and shall become effective on the ninetieth day following the date of issuance.

Issuance of
regulations.

(c) The head of each department in the executive branch is authorized to prescribe and issue such regulations (not inconsistent with the regulations of the President issued under subsection (b) of this section) as are necessary and appropriate to carry out the functions of such department head under this Act.

SEC. 7. Notwithstanding any provision of this Act or the repeal or amendment thereby of any provision of law, and until such time as regulations prescribed by or under authority of the President are issued under section 6(b) of this Act and become effective, allotments and assignments of pay of employees in the executive branch may be made in accordance with such provisions of law so amended or repealed and the regulations issued thereunder; and such regulations may be amended or revoked in accordance with such provisions of law.

Allotments
of pay.

SEC. 8. Funds available to each department for payment of compensation, allowances, and differentials to or for the accounts of civilian officers and employees of such department also shall be available for payment of compensation, allowances, and differentials to or for the accounts of employees of any other department in accordance with this Act and on a reimbursable basis.

Funds reim-
bursable.

SEC. 9. (a) The following provisions of law are hereby repealed:

Repeals.

(1) The Joint Resolution entitled "Joint Resolution authorizing assignment of pay of teachers and other employees of the Bureau of Education in Alaska", approved March 21, 1906 (34 Stat. 824; 48 U.S.C. 171);

(2) The paragraph in the first section of the Act of June 30, 1906, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "Scientific Assistants of the Geological Survey" (34 Stat. 727; 43 U.S.C. 35), which reads as follows:

"The Secretary of the Interior is hereby authorized to permit scientific and other employees of the United States Geological Survey, employed in the field, to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the United States Geological Survey. And the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse the scientific and

U. S. Geolog-
ical Survey.

other employees for expenses incurred by them in the discharge of their duties in the field and paid from their personal funds.”;

(3) That part of the first section of the Act of May 27, 1908, under the heading “Under the Department of the Interior”, under the subheading “United States Geological Survey”, and under the caption “For General Expenses of the Geological Survey” (35 Stat. 350; 43 U.S.C. 382), which reads as follows:

“The Secretary of the Interior is hereby authorized to permit the employees of the Reclamation Service, while employed in the field, to make assignments of their pay under such regulations as he may prescribe.”;

Reclamation
Service.

75 STAT. 664.

75 STAT. 665.

(4) The second paragraph under the center heading “MISCELLANEOUS” and under the side heading “Paper Tests” in the Act entitled “An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten”, approved March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529), which reads as follows:

“And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.”;

Agriculture
Department.

(5) The proviso contained in the second paragraph under the center heading “DEPARTMENT OF COMMERCE AND LABOR” and under the side heading “Office of the Secretary” in the Act entitled “An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes”, approved June 17, 1910 (36 Stat. 524; 5 U.S.C. 595), which reads as follows: “*Provided*, That the Secretary of Commerce and Labor is hereby authorized, under such regulations as he may prescribe, to permit officers and employees of the several bureaus and divisions of the Department of Commerce and Labor to assign their salaries while absent from Washington, District of Columbia, and employed in the field”; and

(6) The Act entitled “An Act authorizing allotment of pay by civilian personnel stationed abroad”, approved May 14, 1937 (50 Stat. 166; 5 U.S.C. 75c).

(b) That part of the first section of the Act of March 4, 1907, under the heading “Under the Department of Commerce and Labor” and under the subheading “Coast and Geodetic Survey”, as amended by the first section of the Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862), relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey, is amended to read as follows:

“Commissioned officers of the United States Coast and Geodetic Survey are authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.”.

(c) Section 3689(d) of title 10 of the United States Code is amended—

(1) by inserting the word “or” immediately following the semicolon at the end of clause (1);

(2) by striking out the word “or” immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads:

“(3) permanent civilian employee of the Department of the Army on duty outside the United States;”.

Coast and Geo-
detic Survey.

70A Stat. 213.

(d) Section 8689(d) of title 10 of the United States Code is 70A Stat. 537. amended—

(1) by inserting the word “or” immediately following the semicolon at the end of clause (1);

(2) by striking out the word “or” immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads:

“(3) permanent civilian employee of the Department of the Air Force on duty outside the United States;”.

Approved September 26, 1961.

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